



Wisconsin Land and Water Conservation Association, Inc.
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Legislative/Administrative Committee

Meeting Notes
 October 16, 2019

| Date: 10/16/2019 | |
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| Start Time: 9:30 AM | End Time: 3:00 PM |
| Location: | Portage County Annex Building 1462 Strongs Avenue Stevens Point, WI 54481 Conference Room 2 |
| Conference Phone: | (877) 826-6967 |
| Conf ID: | 9793943 |
| Committee Members: Kurt R. Calkins Chair (Columbia), Greg Baneck (Outagamie), Greg Cleereman Vice Chair/Secretary (Marinette), Paul Daigle (Diane Hanson-Alternate) (Marathon), Perry Lindquist (Waukesha), Dan Masterpole (Chippewa), Raymond Soper (Taylor), Ben Wojan (Vernon), Monte G. Osterman (Racine), Dave Solin (Langlade), Carolyn Scholl (Vilas), Carl Chenoweth (Dane), Lynda Schweikert (Grant), Melissa Keenan (Sauk), Amy Piaget (Dane), Kriss Marion (Lafayette), Brian Haase (Waupaca), Bryce Luchterhand (Clark), Erin Hanson (Door), Tim Ritten (Polk) | In Attendance: Absent Committee Members: |
| WLWCA Staff: Matt Krueger, Christina Anderson | |
| Notes | |
| <ul style="list-style-type: none"> • WLWCA Meetings are open meetings. Individuals may observe in person or via conference phone if desired. • Order and time allowed for agenda items may be changed due to pace of meeting or at the discretion of the committee chair. • Please Inform Chair If You Are Unable To Participate | |
| Next Meeting Time: 12/13/2019 Following Close of County Con Meeting (PM) | |

ALL AGENDA ITEMS ARE ACTIONABLE

- **Call To Order: Calkins**
- **Roll Call: Secretary**
 - Greg Cleereman, Paul Daigle, Amy Piaget, Erin Hanson, Christina Anderson, Matt Krueger, Kurt Calkins, Greg Baneck, Mike Gilbertson, Jennifer Heaton-Amrhein
 - On the phone: Perry Lindquist, Dan Masterpole, Lynda Schweikert, Paul Tollard, Carolyn Scholl, Scott Frank
- **Adopt Agenda/Additions: 10/16/2019**
 - Add three items:
 - Amy Piaget provide summary of Wisconsin DNR Impoundments meeting
 - Nutrient Reduction Strategy
 - UWEX and DNR evaluation update
- **Approve Previous Meeting Minutes: 7/19/2019**
 - Baneck motion to approve, Daigle seconds – minutes approved
- **Legislative/Policy Updates**
 - **Speakers Task Force On Water Quality**
 - Expect series of bills, dozen to 15 or 16 to be advanced, with varying levels of TF member support – full county con funding will be one of them, and will enjoy widest support from TF members (all 16 members as authors). But for one year, and for 2019 statutory target (\$12.4, not \$12.8)

- Other items that they will recommend funding: PLWGs, multi-county water quality studies (including SWIGG), NM/soil health initiatives, DATCP grazing position; RA water stewardship ag pilot project.
- Each Bill will be stand alone, but announced all together “Day of Water” floor sessions. Likely in Jan/Feb. Then to the Senate. Unknown support in Senate.
- Governor will also have initiatives as part of the YOCDW, likely to be announced around the same time.
- Politics likely to play a role in the completion of the Task Force & Year of Clean Drinking Water.
- Discussion/Questions:
 - Is it base funding or just one-year funding? Is this a base allocation boost? MK will look into this.
 - How to provide legislature the confidence that we will achieve water quality benefits with this money. Either as a full association, or county by county. Adding specific ties to funding is challenging with the diversity of counties. What level of accountability are we able to provide?
- Other likely bills
 - Position for gw (WGNHS?)
 - More money for NM and soil health, including grazing specialist at DATCP
 - Multi county gw studies
 - Money for the pilot project that River Alliance launched
 - Some other things that have floated around – farm service funds, harvestable buffers...
- Wisconsin Fund update? MK will check.
- **ATCP 51**
 - WLW position: delivered comments and written statements in support of the rule at public hearing on Aug 22. Worked with Shawano, Marathon, Manitowoc, Jackson counties to support their testimony.
 - Hearings:
 - lots of misinformation, misunderstanding
 - 12 public hearings, 624 total hearing comments (more than the 2005 revisions). Lots of attention on CAFO program (at least 50% just against CAFO). Specific comments were helpful (county, engineers). All comments are now posted on our website.
 - Setbacks will be reduced, still larger than they are now.
 - New category will be added. Lowest category will stay at 350 feet, then goes up.
 - One major change is the 6,000 and above and any new facility would need to meet the most stringent setback.
 - Fee removed completely (ACT 21 takes their authority away for any payment), fee would go to county and town to decide.
 - All public hearing comments and proposed revisions can be found on the websites:
 - https://datcp.wi.gov/Pages/Programs_Services/LSRuleRevision.aspx
 - Next steps:
 - October 21, DATCP Board will hear results of public meeting and proposed rule changes. Not taking public comment, but can attend to hear discussion. Mostly informational for Board.
 - November 7, Board will vote on rule
 - From there it goes to the Governor
 - THEN to the legislature, they have veto power. They can also hold public hearings and can send back to DATCP for changes.
 - ACTION: MK to send his comments from the hearing
- **Targeted NR 151 For Nitrate/Susceptible Soils**

- Scope statement opened to establish targeted performance standards to abate pollution of nitrate in areas of the state with highly permeable soils that are susceptible to groundwater contamination.
 - Resistance letter from Ag groups
 - JCRAR called for preliminary hearing (slated to be this week) on the scope statement; NRB responded in Sept mtg called for three public hearings before opening the scope statement (One of the new requirements as part of the lame duck session rules). Hearings to be held post-harvest (Nov 1) to accommodate farmers.
 - Nov. 4, 2019: Hancock, Stevens Point, WI; 1 – 3 P.M
 - Nov. 6, 2019: Blackhawk, Janesville, WI; 1 – 3 P.M.
 - Nov. 7, 2019: Fond du Lac; 1 – 3 P.M.
 - Process:
 - NRB meeting this week to approve going to public hearing
 - December meeting to determine moving forward on scope statement
 - Clock ticking – 30 months to complete (from August 19)
 - We will participate in this process with the message that we support the process, we want to participate.
- **FPP Modification Bill**
- Rock County resolution that was passed by the full membership at the 2019 Business meeting.
 - Co-authored by Reps Spreitzer (D, Beloit), Kolste (D, Janesville), Oldenburg (R, Viroqua)
 - We connected the legislators and are now 9 drafts into legislation, with DATCP involvement. One last small adjustment left to be made before it is public. Draft should be available.
 - Seeks to do the following:
 - Reduce minimum agreement length from 15 to 10 yrs
 - Simplify three tax incentive tiers into two, and increase per-acre tax incentive in both.
 - \$5 and \$7.50/acre bumped to \$10/acre [FPP agreement, FPP zoning]
 - \$10/acre bumped to \$12.50/acre [AEAs]
 - Includes PACE conservation easement holders to be included in program, at \$10/acre tier.
 - Expands DATCP planning grants available to counties to include implementation expenses
 - Includes:
 - certifying FPP zoning ordinance for first time
 - enrolling land in FPP agreements
 - designating AEA or facilitating ag preservation and development
 - monitoring compliance with perf standards
 - FPP program outreach
 - DATCP FPP planning funds, roughly \$225K/biennium, is available, but \$180K goes unused and lapses back into General Fund. This makes those funds available for implementation grants, reimbursed at 50%. Unsure cap.
 - Indexes tax credit for inflation, tied to ag inflation
 - Requires DATCP to make recommendations on adequacy of tax credit rate
 - Process: circulating for co-sponsorship next week; WQTF will recommend its passage, but not include it in the leg proposals they advance.
 - Very clear in communication with reps that this is not the same conversation as the staffing grants. Don't see any competition with SWRM grants, but looking

for input here. Discussion:

- If you have X acres in FPP, roll into allocation? Rather not have competitive grants.
- Could it be similar to NMP program add on?
- **AB 148**
 - Groundwater Testing program.
 - We discussed the companion bill at the last meeting, but didn't get back to the group with this Assembly Bill. MK will provide more of an update on the process as things move forward.
 - WLW position: opposed
 - First, \$2500 per household is not sufficient funding, and is only a one-time payment.
 - New well costs estimated at \$1000, plus \$40/ft; abandonment is \$7.50/ft
 - To replace a 75' well with a 140' well, costs would \$7,162
 - Second, \$500K total for county health depts. also not a sufficient amount to adequately administer this proposed program.
 - Third, this proposal has to be weighed against the fact that there is an existing well compensation program at DNR, and legislation has been circulated by Rep. Shankland (and Gov Evers in budget proposal) to make improvements to that program by removing the livestock eligibility requirement and increasing the household income threshold for participation, and provide more funding. These are, in a way, competing bills.
 - Concerns about transferring this prog from DNR to DHS.
 - We provided comments to Testin & Kohls, didn't make changes on our issues.
 - Both bills have passed committee/public hearings and awaiting floor vote.
- **County Con Meeting Survey Results/Discussion**
 - Sent to both LCC & LWCD lists
 - Respondents: 111 (80% LCD, 15% LCC, 5% other)
 - Attendance at CC mtgs: 43% 3 or fewer, 33% more than 10
 - Take-homes:
 - Most valuable: finding out how other counties are dealing with particular issues; networking; peer-to-peer learning
 - People like the speed round
 - Least valuable: redundant agency updates; open up to more diverse set of agency reps, more interactive discussions
 - Location:
 - Almost 50% prefer SP, 42% unsure, 8% prefer Rapids.
 - Ideas and discussion for future meetings:
 - LCC participation? Are we at our cap? Better way to engage LCC at County Con meeting beyond their attendance?
 - Group agrees with survey results that it's hard to get LCC to attend for various reasons. Many have jobs, no budget
 - Perhaps a wrap up report that could be shared through listserv and/or at committee meetings? WI Land+Water will explore.
 - Conservation Employee/LCC trainings – promote CC meeting as way to learn more
 - Troubleshooting, brainstorming, crowdsourcing...could we do a world café?
 - Speed round is a hit, maybe include LCC that are there. Perhaps pick a few counties to do lightning talks (2-3 slides in 5 minutes). More information provided on topic, only a couple at a time.
 - More interactive speakers
 - Include the full audience as a “panel”
- **December County Con Meeting Topics/Planning**
 - World Café topic idea?

- Wet season, managing manure storage
- New county cons table with a couple experienced county cons
- Climate change planning and implementation
- NR 193 surface grant program, status (bob wakeman and Beaver Creek might tag team a presentation)
- Look at county con listserv for topics?
- How counties are implementing stormwater & erosion control ordinances
- Speed talks?
- DNR impoundment (see amy's update below)
- Chapter 30 changes in staff, restructured permitting. Someone to clarify changes
- **Status Update On Committee Guiding Principles Revisions**
 - Small team (Amy, Kurt, Perry, Matt) took on the revisions after the last meeting.
 - Connected on a call and saw pieces of the Leg/Admin committee principles that might be good "across the board" revisions for all committees.
 - Made some revisions
 - Pushed back the full timeline with all committees
 - Next steps, draft coming to this group soon & can discuss at Dec meeting, will pass to EC in Feb, BOD in March.
 - Perry comments. Overall, the process is good, needed. Will help clarify roles and process for future members.
- **Committee Advisors (Review Roster/Listserv)**
 - New listserv for advisors: leg.admin.advisors@wisconsinlandwater.org
 - Current advisors
 - NRCS – Angela Biggs
 - Extension – John Exo
 - DATCP – Lacey Cochart, Coreen Fallat
 - Counties Assn – Dan Bahr, Keith Langenhahn
 - DNR – Mike Gilbertson
 - Will work on advisor roles and go back to make sure everyone still wants to participate, include more, invite speakers as needed.
 - Embrace partnerships better, show our value/theirs. Important to have advisors participate (even if on the phone) during important discussion (e.g., when bills are out. Need WCA discussion)
 - ACTION: Reach back out to the Leg/Admin membership on this list, ensure they want to be here. Recruit LCC. Attendance expectations to be included in guiding principles.
- **Recommend WI Land & Water Rep. To WI Ag Education and Workforce Development Committee**
 - Sara Walling reached out, gov looking to revive committee and want to include WI L+W rep.
 - Provides advice and counsel to state agencies, educational institutions, and the Wisconsin Legislature on matters related to agricultural education and workforce development. In addition the committee helps attract, develop and retain the superior workforce required to grow Wisconsin's production agriculture, agribusiness, food and natural resource sectors.
 - Gov's office rekindling this, want county con representation. Broad committee, up to 30 members, want to be sure conservation is represented.
 - Not a lot of details provided on meeting commitment.
 - ACTION: Will solicit county con list, open to nominating county staff (doesn't need to be county con), list of names to Leg/Admin for recommendation to EC
- **Other Topics Of Interest For Discussion**
 - **Summary of Wisconsin DNR Impoundments meeting**
 - Amy attended the Impoundments meeting held in Madison.
 - DNR staff pulled together stakeholders (TNC, Ducks Unlimited, Wetlands, other agency programs) to discuss future of DNR-owned impoundments
 - DNR owns 1,050 impoundments (25% of the state), dikes, structures. Responsible to maintain. Many historically installed for habitat (Horicon marsh, example), some recreational. Different programs manage them (state parks,

- fisheries).
- Walked through their assessment process.
- Weather implications, failing. What to do.
- Going through process to rank structures, ecological purposes still being met, some partnership venture, wild rice for tribes, invasive species (helping or spreading?), recreational.
- Assessment complete. Most are functioning. Looking for input from stakeholders on what to do next.
- Options to turnover ownership to counties on some county lands
- Should they repair or remove? How does climate change affect these structures?
- Limited state funding to maintain.
- The meeting was mostly informational, input from stakeholders. No decisions were made.
- **Nutrient Reduction Strategy**
 - Marsha Wilhite reached out about DNR's update to EPA. Looking for input on best representing in the report.
 - Providing an annual progress report to EPA on how DNR is meeting NRS goals. MW acknowledged critical role counties play in doing that, reached out to get input on how best to highlight LCD roles/efforts
 - "This is what's happening, here's where, and this is result."
 - DNR working with DATCP and should have information that is included in the DNR/DATCP Annual Report.
 - ACTION: Need some clarification for what Marsha is looking for beyond Annual Report. Success stories, more project specific (edge of field work?), just Mississippi River Basin? Innovative, quantifiable examples? Deadline?
- **DNR/Extension Nonpoint evaluation process**
 - Next steps worked into the next year's contract with Extension NREs
 - Will work on incorporating suggested improved changes.
 - Example suggestion: better communication locally. Has led to more regional approach, integrated better with the counties.
- **Agency Update**
 - **DATCP**
 - New FPP coordinator – Wednesday Jordan
 - Feb or March will open scope statement for ATCP 50 to incorporate SOC standard update.
 - Heaton-Amrhein will send most recent org chart
 - **DNR**
 - Spilt bureau and section
 - Chap 30 & dams new bureau
 - Watershed bureau (ag runoff, stormwater)
 - Mary Anne to head Stormwater
 - Vacant Ag section chief. Interviews have been completed
 - Many other vacancies (Gretchen Wheat, Tom Bauman both left, some in region)
 - Joanna Griffin to replace Ann Hirekatur for nonpoint grant program.
 - Community finance position open
- **Adjourn**