

Chippewa County Land Conservation  
Committee Meeting  
November 19, 2008

The meeting was called to order by the Chair, L. Willkom, at 8:00 a.m. Members present were D. Boettcher, J. Brost, M. Goettl, P. Licht, E. Rineck, and L. Willkom.

Members absent were S. Lane.

Other County board members present were V. Kellen.

Agency staff present at times throughout the meeting were M. Dahlby, D. Masterpole, D. Nashold, J.T. Jensen, and J. Schemenauer - Recorder (LCD).

**Item #1 – Public Wishing to be Heard.**

There was no public wishing to be heard.

**Item #2 – Approve Minutes. Review Summary of Conservation Plans/Contracts/Agreements.**

The minutes from the 10/15/08 and 11/6/08 meeting were presented. It was noted that the members recorded as present and absent at the 11/6/08 meeting was not correct. Motion to approve the 10/15/08 and 11/06/08 minutes (as amended): Boettcher/Brost. Motion carried.

There were no plans, contracts, or agreements presented.

**Item #3 – Introduce Issues Associated with Use of Nonmetallic Mine Sites for Recycling and Solid Waste Disposal, Set Process, and Schedule to Evaluate Sections 30-77, 30-81, and Appendix I, Section E, Chippewa County Nonmetallic Mining Reclamation Ordinance.**

The Chair introduced a request by the Executive Committee for the Land Conservation Committee to evaluate the current policies that apply to nonmetallic mine sites; and the use of those sites for refuse processing, recycling, and solid waste disposal.

D. Masterpole presented portions of a PowerPoint report (on file) prepared by the Department of Administration. The report:

1. Explains how gravel pits owned by Chippewa County are now used.
2. Explains issues that have been encountered at the Union Pit.
3. Outlines a general directive from the Executive Committee. The directive is to evaluate and clarify:
  - Local concerns regarding the disposal of organic and solid wastes.
  - Processes now in place (under WI Law and County ordinances) that apply to these concerns.
  - Any changes under authority of Chippewa County nonmetallic mining ordinance and solid waste and litter ordinances that could be made to address the concerns.

D. Nashold presented a PowerPoint report (on file). The report:

1. Outlines applicable sections of the Chippewa County Nonmetallic Mine Ordinance as follows:

•Section 30-77 – Reuse and other solid wastes. “Nonmetallic mining refuse shall be reused in accordance with a reclamation plan. Other solid wastes shall be disposed of in accordance with applicable rules of the department adopted pursuant to Wis. Stats. Chs. 289 and 291.”

•Section 30-81 – Compliance with environmental regulations. “Reclamation of nonmetallic mining sites shall comply with any other applicable federal, state and local laws including those related to environmental protection, zoning and land use control.”

•Appendix I – E – Waste Storage at Site. “It is the duty of the landowner to remove all waste substances as may be deposited by himself or others. During the period of the permit and thereafter, no gravel pit or borrow site shall be used to receive, store, or serve as a depository for demolition materials, or solid waste except yard waste as defined in Wis. Stat. 159.01(17) and except authorized solid waste management and recycling programs consistent with local, state or federal guidelines and administered by the Chippewa County Solid Waste Management Authority.”

2. Defines a method that the department will use to carry out the directive. It is as follows:

A. Form an advisory group of industry representatives to:

-Review existing ordinance requirements regarding waste disposal at nonmetallic mines (active and abandoned).

-Identify common waste management issues at mine sites.

-Recommend ordinance changes to:

i. Better define acceptable waste management and recycling activities.

ii. Improve ordinance compliance at nonmetallic mines.

B. Develop discussion points and a timeline for advisory group action.

3. Outlines the oversight role and responsibilities of the LCC as follows:

•Review and consider policy recommendations from the advisory group.

•Develop proposed changes to Nonmetallic Mining Reclamation Ordinance and Solid Waste Management and Recycling Ordinance for County Board consideration.

There was general discussion. Discussion focused on:

1. Issues raised by the public regarding waste management and disposal at the Chippewa County Union Pit.

2. The current extent of recyclable materials processing, and solid waste disposal at nonmetallic mine sites.

3. The elements of the Town of Bloomer land spreading and waste disposal ordinance.

**Item #4 – Consider and Make Recommendation on Department Proposal to Shift Use or Carryover 2008 Funds to 1.) Apply for a Matching Grant Application; and to 2.) Acquire a Buffer Easement for Demonstration Site; Little Lake Wissota Watershed.**

M. Dahlby distributed and the Committee reviewed a staff report titled: Staff Analysis in Support of Recommendation to Allocate Funds to a Riparian Buffer Demonstration Site in the Little Lake Wissota Watershed, (LCD 11/13/08 – mailed 11/14/08). A summary of the analysis follows:

•Background

- DNR is now establishing a Total Maximum Daily Load pollution limit (TMDL) for Little Lake Wissota.
- As part of the TMDL implementation plan, agricultural producers will be encouraged to install best management practices to reduce nonpoint source pollution.
- The 2008 budget included an allocation of \$20,000 to conduct a land use and nutrient management assessment in the Little Lake Wissota Watershed.
- In July, 2008, the LCC authorized staff to pursue an additional \$15,000 from Xcel Energy and \$10,000 from DNR to supplement the 2008 County budget allocation. The funding from DNR and Xcel has now been secured.

•Issue and Opportunity

- Unanticipated workload (regulatory response) will keep the LCD from completing the watershed inventory work in 2008.
- Initial inventory work has identified a 9.0 acre riparian crop field that could serve as a highly visible riparian buffer demonstration site. The owner is willing to install a permanent vegetative buffer if compensated at standard (CREP) reimbursement rates.
- The site is not eligible for CREP funding due to a program technicality.

•Options

1. Allow the \$20,000 in budgeted funds to lapse.
2. Recommend that the \$20,000 in budgeted funds be carried over for use in 2009 to conduct a more detailed watershed inventory than the one originally planned.
3. Recommend reallocation of the \$20,000 in budgeted funds to install a 9.0 acre riparian buffer/conservation easement “demonstration site” using the CREP equivalent rates, as specified in State Administrative Code (ATCP) 50.08(4).

•Staff Proposal for LCC Consideration

LCD staff recommends consideration of Option 3 for the following reasons:

1. A lapse in the \$20,000 in budgeted funds is lost opportunity to advance water quality objectives in the Little Lake Wissota Watershed.
2. Increasing the detail of the planned inventory is not essential.
3. Installation of a permanent riparian buffer on a highly visible site in the Little Lake Wissota Watershed would have tangible benefits to water quality and would advance TMDL program implementation.

There was general discussion. Discussion focused on:

1. The administrative process that is used when requesting the redirection of budgeted funds.
2. The benefit that a demonstration site would have toward advancing management efforts in the Little Lake Wissota watershed.
3. The projected costs of a watershed inventory.

Motion to approve Option 3 - Recommend reallocation of \$20,000 in 2008 budgeted funds to install a 9.0 acre riparian buffer “demonstration site”, and acquire a perpetual conservation easement covering the riparian buffer, using the CREP equivalent rates as specified in State Administrative Code (ATCP) 50.08(4); and to forward the recommendation to the County Administrator: Brost/Licht. Motion carried.

The recommendation will be forwarded to the County Administrator for consideration.

M. Dahlby distributed and the Committee reviewed a staff analysis titled: Staff Analysis in Support of Recommendation to Transfer Funds to the Chippewa County Stewardship Fund for Use in Leveraging State and Federal Grant Funds to Permanently Protect Wild Lakes, (LCD 11/18/08). A summary of the analysis follows:

•Background

- A stated objective of the Chippewa County Land and Water Resource Management Plan (2004) is to establish a wild lakes and streams protection project. A “Wild Lakes Reserve” has been proposed to permanently protect wild lakes and adjacent lands so that high quality plant and animal communities remain intact.
- The 2008 budget included an allocation of \$25,000 to “apply toward a state matching grant to implement a wild lakes pilot project”.
- In July, 2008, the LCC authorized staff to pursue grant funding to advance the “Chippewa County Wild Lakes Reserve”.
- The LCD has now secured two (2) \$10,000 DNR Lake Management Planning Grants to develop procedures for landowner outreach and ongoing communication, and biological assessments of wild lakes and associated lands.

•Issue and Opportunity

- The landowner outreach and biological assessment pilot projects will likely result in the opportunity to acquire title or a conservation easement on land that contains a wild lake . Should this opportunity arise, seed money will be required to leverage State and Federal grant funds.

•Options

1. Allow the \$25,000 in budgeted funds to lapse.
2. Recommend that the \$25,000 in 2008 budgeted funds be transferred into the Chippewa County Stewardship Fund for use as the match required to leverage State and Federal grant funds. The funds would be used to be used specifically to acquire either:
  - A. Land that contains a wild lake; or
  - B. A perpetual conservation easement that protects and provides public access to a wild lake.

•Staff Proposal for LCC Consideration

LCD Staff recommends consideration of Option 2 for the following reasons:

1. A lapse of the \$25,000 in 2008 budgeted funds is lost opportunity to advance the County’s objective to protect wild lakes.
2. State grant funds for the landowner outreach and biological assessment pilot projects cannot be used to acquire a wild lake or wild lake easement.

3. Using the \$25,000 in 2008 budgeted funds (as intended) to secure a state matching grant toward an acquisition will allow for completion of the entire wild lakes protection process, from recruitment to permanent protection. This will:
  - A. Accomplish the budget objective.
  - B. Provide an opportunity to evaluate:
    - i. Strengths and weakness in process.
    - ii. Landowner perspectives.
    - iii. Feasibility of this approach toward lake protection.

There was general discussion. Discussion focused on:

1. The current state budget deficit and the value of allowing unused funds to lapse to the General Fund.
2. The value of carrying over the \$25,000 and applying it to secure matching grant funds for wild lakes protection.
3. The current fund balance of the County Stewardship Fund.

E. Rineck joined the meeting at 9:30 a.m.

Motion to approve Option 2 - Recommend that the \$25,000 in 2008 budgeted funds be transferred into the Chippewa County Stewardship Fund for use as local match to gain access to and leverage State and Federal grant funds to acquire either:

- A. Land that contains a wild lake; or
- B. A perpetual conservation easement that protects and provides public access to a wild lake and adjacent land;

and forward the recommendation to the County Administrator: Brost/Goettl. Motion carried.

The recommendation will be forwarded to the County Administrator for consideration.

**Item #5 – Review Land and Water Issues of Priority Concern, as Outlined in the Chippewa County Land and Water Resource Management Plan (2004); Systematically Receive Input from Committee to be Considered in Revising Issue Statements Using Planning Exercise and Focus Questions.**

The Committee reviewed the following material (mailed 11/14/08):

1. Handout titled: Key Land and Conservation Issues Facing Chippewa County, (LCD 7/3/08). The handout was prepared by the LCD and submitted as input to the County strategic planning process.
2. Handout titled: Process to Solicit Stakeholder and Agency Input to Evaluate Issue and Goal Statements; Chippewa County Land and Water Resource Management Plan, (LCD 10/10/08). The handout is a planning exercise developed to provide structured input toward revision of the Chippewa County Land and Water Resource Management Plan.

D. Masterpole presented a PowerPoint report (on file). The report:

1. Listed the current land and water issues of priority concern, as contained in the Chippewa County Land and Water Resource Management Plan (2004), and
2. Outlined a series of focus questions developed to determine if the issue statements are still valid and adequately cover the threats to the resource base.

The issues of concerns, as contained in the current plan, were presented and are as follows:

Issue 1 - Development outside of service areas.

“There is an ongoing trend in land use where nearly all new development in the county is occurring in unincorporated areas, historically used for agricultural production, in unsewered subdivisions located in Chippewa Falls-Eau Claire metropolitan area, and in shoreland areas.”

Issue 2 - Changes in type and intensity of agricultural operations.

“There is an ongoing trend in production agriculture whereby small dairy operations are being systematically replaced by cash grain operations or by larger-scale dairy, hog, and poultry operations.”

Issue 3 – Rural development and more intensive agricultural production = less biodiversity, exotic species, and loss of natural areas.

“As a result of current development trends, there is the potential for less biodiversity, an increase in exotic species, and loss of undisturbed natural areas.”

Issue 4 – Growth and development trends place greater recreational demand on natural resources.

“In response to current development trends and ongoing growth in the Eau Claire/Chippewa Falls metropolitan area, there is a greater demand for outdoor and nature-based recreational activities.”

Issue 5 – Sand, gravel, and rock mining; siting and impacts.

“In response to current development trends, there is an ongoing need for sand and gravel which must be mined from finite deposits located in select areas of the landscape.”

Committee members provided input on the issues using the focus questions. The following points of consideration were raised:

1. Global climate change and energy demands are projected to have a direct impact on the local environment and land and water resources.
2. Development pressures on agricultural lands have decreased while farm size and agricultural production have continued to increase. The ultimate responsibility for controlling residential development in agricultural areas rests with the towns. Few towns have exercised their authority to preserve farmland by establishing rural density limits and production agricultural zones.
3. The threat of invasive species (terrestrial and aquatic) have increased.
4. The number of sand and gravel mining operations have increased. The type of mining has expanded to include industrial sand mining.
5. The need for recycling and well-regulated solid waste disposal have increased.

These points and those provided by the Citizens' Advisory Committee will be used by the Land Conservation Department to update the issue statements for further consideration.

**Item #6 – Committee Communication.**

There was no correspondence or communication with other committees.

The next regularly scheduled LCC meeting is set for 12/17/08 at 8:00 a.m.

Motion to adjourn: Goettl/Boettcher. Motion carried.

The meeting was adjourned at approximately at 10:20 a.m.