

Chippewa County Land Conservation
Committee Meeting
April 15, 2009

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

Members absent were J. Brost and S. Lane.

Agency staff present at times throughout the meeting were, J. Myers (FSA), M. Dahlby, D. Masterpole, D. Nashold, and J. Schemenauer – Recorder, (LCD).

Others present were K. Schmidt, and T. Meyer (Trout Unlimited) and J. Welter (Trout Unlimited).

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 03/18/09 meeting were presented. Staff noted that there was a typographic error under Agenda #8 – Introduce Process, Committee Role, and Schedule for Program Review, under general discussion, #1. The sentence should read “The process for evaluating programs and services”, not “The processing for evaluating programs and services”.

Motion to approve the 03/18/09 minutes, as corrected: Boettcher/Goettl. Motion carried.

Staff presented and the Committee reviewed a GIS map showing the location of new Conservation Reserve Program (CRP) contract(s) developed with technical assistance provided by the Land Conservation Department. The CRP contract information is as follows:

<u>Landowner</u>	<u>Tract</u>	<u>Town</u>	<u>Range</u>	<u>Sec</u>	<u>Acres</u>	<u>Type</u>	NR151 <u>Eval.</u>
Clover Belt Farms	T1555	T30N	R7W	21	4.6	15 Year	No

Motion to accept the CRP field plan(s): Goettl/Cronquist. Motion carried.

Item #3 – Consider and Develop Evaluation Criteria to Prioritize and Rank Conservation Programs Administered Through the LCC.

D. Masterpole distributed and the Committee reviewed a working paper titled: Initial Working Draft of Criteria to be Used to Evaluate and Rank Conservation Services and Programs Administered Through the LCC, (LCD 4/14/09). The evaluation criteria were developed at the request of the Committee (3/18/09), to be applied in an exercise (conducted as part of the County's strategic planning process) to evaluate and rank programs administered through the Committee. The draft criteria were presented as follows:

Legal Mandates and Obligation

1. Whether the program or service is a mandate that requires the County to meet a federal or state law, or permit requirement.
2. Whether the program or service is required to meet a County Ordinance.

Relative Value

3. The relative value of the program service, based upon its capacity, to directly protect the public health, safety, and welfare.
4. The relative value of the program service, based upon its capacity to assure a specified degree of public accountability in circumstances where a permit is issued, or public funds are expended.
5. The relative value of the program service and its capacity to support or advance the work of others.

Cost Effectiveness

6. The cost efficiency of the program and public return on County investment based upon:
 - A. The scope of conservation outcomes and associated economic/environmental benefits.
 - B. The immediacy of conservation outcomes and associated economic/environmental benefits.
 - C. The permanency of conservation outcomes and associated economic/environmental benefits.

Capacity to Measure and Evaluate Outcomes/Programs

7. The degree of program focus and the capacity of the program service to be readily evaluated using clearly defined measures of outcome or performance.

There was general discussion. Discussion focused on:

1. The scope and detail of the evaluation criteria.
2. The responsibility of the staff to define programs and functional service areas, and to compile the information needed to describe and evaluate these service areas.
3. The responsibility of the LCC to consider, refine, and adopt the evaluation criteria and to apply the criteria to rank the programs.

There was general agreement by the Committee members that the draft criteria were adequate, and should be used as a basis for the program ranking. There was also agreement that the management staff apply these criteria to create a listing of mandated and non-mandated programs, and a preliminary ranking for Committee consideration.

As scheduled on 3/18/09, a special LCC meeting will be held 4/24/09, at 8:00 a.m. to review the program evaluation worksheets and preliminary listing, and to complete the final ranking of programs and services administered through the LCC.

Item #4 – Review Revised Policy Guidance; Plan Content and Engineering Requirements for Non-Metallic Mine Construction and Reclamation in Bedrock.

D. Nashold distributed and the Committee reviewed the following material:

1. Staff report titled: Explanation and Rational for Issuing Planning Guidance for Non-Metallic Mines to be Developed in Bedrock, (LCD 2/17/09). The report outlines the rational and need for additional planning and design detail for commercial scale non-metallic mines developed in bedrock.
2. Revised administrative guidance titled: Plan Content, Specifications and Engineering Requirements for Non-Metallic Mine Construction in Bedrock, (LCD 4/13/09). The initial draft of this guidance (2/13/09) was developed to clarify the minimum content and design requirements for non-metallic mine reclamation plans under the Chippewa County Non-Metallic Mining Reclamation Ordinance.

This revised draft (4/13/09), was created to provide definitions and criteria to better clarify the physical settings and circumstances where these planning and design requirements will apply. The content of the administrative guidance is as follows:

- Purpose of guidance for non-metallic mines constructed in bedrock.
- Engineering assurance and requirements.
- Monitoring and reporting requirements.
- Plan Contents and Specifications.
 - Groundwater Management.
 - Surface Water and Storm Water Management.
 - Soil and Overburden Management.
 - Slope Reconstruction.
 - Topsoil Reestablishment.
 - Site Revegetation.
 - Long-Term Slope Stability (Function of Slope % and Slope Length).

There was general discussion. Discussion focused on changes to the draft guidance as follows:

1. The addition of the state's definition of bedrock, as contained in NR 213.04.
2. Changes to the criteria and thresholds that are used to define when engineering assurance is required. Under the changes:
 - A. The area-based threshold (that would trigger engineering assurance) was increased from 3 to 5 acres of total disturbance.
 - B. The volumetric-based threshold was removed.

Motion to approve and adopt the revised administrative guidance titled: Plan Content, Specifications and Engineering Requirements for Non-Metallic Mine Construction in Bedrock, (LCD 4/13/09): Goettl/Rineck. Motion carried.

Item #5 – Consider Scope of Pilot Project to Upgrade County Farmland Preservation Program and Advance Elements of the State Working Lands Initiative.

M. Dahlby distributed and the Committee reviewed a report titled: Consideration of Potential Updates to the County Farmland Preservation Program in Anticipation of the State Working Lands Initiative (LCD 4/15/09). The report outlines a number of proposed changes to the State Farmland Preservation program, and advances a request to advance a local pilot project under the state's Working Lands Initiative.

The program changes and related issues are as follows:

1. The Governor's budget proposal has included legislation to advance the State's Working Lands Initiative. If adopted, this will:
 - Expand and modernize the State's Farmland Preservation Program.
 - Establish Agricultural Enterprise Areas (AEA).
 - Develop a State Purchase of Agricultural Conservation Easement (PACE) program.
 - Fund the Working Lands Initiative.

The proposed revisions to the State Farmland Preservation Program:

- Increase income tax credits for program participants who are in an AEA or if their land is zoned for agricultural preservation.
- Becomes effective upon passage of the State budget.
- Includes funding for a limited number of pilot projects to assist with the development of AEA's and the PACE Program.
- Require Chippewa County to update its Farmland Preservation Plan by a set date (12/31/2012) if new lands are to be enrolled in the program.

2. The 2009 Chippewa County Land & Water Resource Management Plan proposes to advance the efforts of the State's Working Lands Initiative. Specific actions proposed in the plan are as follows:

“Action 1 – Actively administer and support landowner participation in the WI Farmland Preservation Program.

- Provide farm planning and technical services for new and existing participants.
- Conduct NR151 farm evaluations.
- Conduct annual reporting and certification process to verify landowner compliance.

Action 2 - Develop and implement a “working lands” pilot project to determine and advance County options for farmland protection.

Action 3 – Revise and update the Chippewa County Farmland Plan in association with State efforts to update WI Stats. 91 and the State Farmland Preservation Program.

- Identify the location, size, and boundaries of working land conservation areas through use of Town or County-based planning processes, and landowner registries.
- Develop and implement a voluntary private lands access component to encourage rural landowners to permit controlled access to expand public hunting, fishing, and recreational opportunities.”

3. Through input provided during the 2009 Land & Water Resource Management Plan public hearing process, the Farmer's Union requested that the LCC be proactive in supporting the State's Working Lands Initiative by advancing an AEA and PACE pilot project to assure that these are developed to meet the local circumstances and farmland protection needs in Chippewa County.

There was general discussion. Discussion focused on:

1. A conceptual change in the state's program whereby individual landowners who participate in the program through the “Farmland Preservation Agreement Option” will only be eligible to enroll if their farm is part of a larger collection of farms that have formed an “Agricultural Enterprise Area” or if their land is zoned for agricultural protection.
2. The level of eligibility and tax credits available to Chippewa County landowners applying to the Farmland Preservation Program, if the updates are implemented.

Motion to recommend that the State legislature allow the continued use of individual farmland preservation contracts outside of Agricultural Enterprise Areas or farmland protection zoning districts, if approved locally under a revised County Farmland Preservation Plan: Cronquist/Boettcher.

There was general discussion.

Discussion focused on individual Farmland Preservation contracts, as currently implemented, and the proposed changes to the Farmland Preservation Program, as proposed.

D. Boettcher withdrew his 2nd to the motion.

There was further discussion. Discussion focused on:

1. The advantages and disadvantages of sponsoring an AEA/PACE Pilot Project in Chippewa County to advance the State's Working Lands Initiative.
2. The scope of a pilot project proposal (number of farms and acres).
3. The potential to find a cooperating municipality, nonprofit conservation organization, and collection of contiguous farms that may have an interest in participating in a pilot project.

Motion to direct staff to define the scope of an AEA/PACE Pilot Project in Chippewa County and to prepare a project proposal, requesting State funding in 2010: Boettcher/Cronquist. Motion carried.

Motion to recommend that the State legislature allow the continued use of individual farmland preservation contracts outside of Agricultural Enterprise Areas or farmland protection zoning districts, if approved locally under a revised County Farmland Preservation Plan: Cronquist/Boettcher. Motion carried.

Item #6 – Introduce Proposal by Trout Unlimited to Pursue Conservation and Stream Corridor Access Easements in Chippewa County.

M. Dahlby introduced J. Welter and T. Meyer (representatives of Trout Unlimited).

J. Welter presented a GIS-based report showing the location of cold water streams in Chippewa County that are managed by the DNR as state fishery areas, and the locations of cold water streams that have not been designated as state fishery areas.

J. Welter reported that Trout Unlimited (TU) is interested in doing in-stream habitat work and obtaining public fishing access to additional cold water trout streams in Chippewa County. In order to do so:

1. TU is contacting landowners in select areas to determine their interest in donating or selling stream corridor and public access easements.
2. TU is requesting that the County consider working with Trout Unlimited to develop and hold these stream corridor easements.

Funding for obtaining easements and recording fees would be paid through TU contributions and DNR stamp funds.

There was general discussion. Discussion focused on:

1. The concept of advancing conservation objectives by entering working partnerships with nonprofit conservation organizations.
2. The model stream corridor and public access easement language being used by TU in other counties.
3. The possible roles and responsibilities of TU and the County in developing, holding, and monitoring these easements.
4. The short and long-term costs and benefits to the County and to the general public.

The Committee directed staff to collect further information and to evaluate the Trout Unlimited proposal to work with Chippewa County to acquire and maintain conservation easements along streams in Chippewa County.

Item #7 – Committee Communication.

D. Masterpole distributed and the Committee reviewed correspondence from R. Callahan (Town Chairman of Colburn) and A. Sime (Town Clerk of Colburn), to D. Masterpole (LCD), (4/7/09). The correspondence requests that the LCD provide engineering consultation to access the feasibility of developing a new public recreational access point to Otter Lake.

There was general discussion regarding the scope of the request and reimbursement options.

There was general agreement that the LCD provide the requested consultation to access the scope, feasibility, and costs of the proposed project.

The next regularly scheduled LCC meeting is set for 5/20/09 at 8:00 a.m.

Motion to adjourn: Goettl/Boettcher. Motion carried.

The meeting was adjourned at approximately at 10:15 a.m.