

Chippewa County Land Conservation
Committee Meeting
November 18, 2009

The meeting was called to order by the Chair, L. Willkom, at approximately 8:00 a.m. Members present were D. Boettcher, C. Cronquest, M. Goettl, E. Rineck (arrived at 9:45 a.m.), and L. Willkom.

Members absent were S. Lane.

Agency staff present at times throughout the meeting were W.H. Reynolds (Co. Administrator), R. Knapp (UWEX), M. Dahlby, D. Masterpole, J.T. Jensen, R. Yohnk, and J. Schemenauer – Recorder, (LCD).

Others present were L. Danielson, M. Fleming, R. Kees, C. Paulson, and K. Schmitt.

Item #1 – Approve Minutes. Review Summary of Conservation Plans/Contracts/Agreements.

The minutes of the 10/21/09 LCC meeting were presented. Motion to approve the 10/21/09 meeting minutes: Boettcher/Goettl. Motion carried.

Staff presented and the LCC reviewed a table titled: Conservation Reserve Enhancement Program (CREP) Contracts Completed for Approval in November, 2009, (LCD 11/09, on file). The table shows the location of the field plan(s) developed by landowners to meet the requirements of state and federal administrative rules, under the Conservation Reserve Enhancement Program (CREP). They are as follows:

<u>Landowner</u>	<u>Tract</u>	<u>Town</u>	<u>Range</u>	<u>Sec</u>	<u>Acres</u>	<u>Type</u>	<u>NR151</u> <u>Eval.</u>
F. Kosar	T49767	T31N	R6W	21	29.1	Easement	No

Motion to accept the CREP field plan(s): Goettl/Boettcher. Motion carried.

Item #2 – Consider Landowner Request to Sign a Petition Under Wis. Stats. 91.86 to Establish an Agricultural Enterprise Area (AEA), T29N, R6W.

D. Masterpole introduced L. Danielson, landowner in the Town of Goetz.

D. Masterpole provided a progress report on efforts to introduce and advance Agricultural Enterprise Areas (AEA's) in Chippewa County.

The report highlighted information contained in the following written reports, as presented to the Committee on 7/15/09 and 10/21/09:

1. Process and Timeframe to Create a Pilot Agricultural Enterprise Area (AEA) Under Wis. Stats. 91.84 and 91.86, (LCD 7/14/09, on file). The report summarizes changes to Wis. Stats. 91, made as part of the 2009-2011 state budget process and outlines a process that would be used by the LCC to advance one or more Farmland Preservation pilot projects.
2. Working Draft of a Proposal and Project Design to Advance an Agricultural Enterprise Area (AEA) Pilot Project in Chippewa County, (LCD Draft 10/20/09, on file). The proposal outlines a process and project design to advance a pilot project, under Wis. Stats.

D. Masterpole reported that the LCD has responded to requests for information by meeting with landowners in the Town of Goetz and the Town of Bloomer. Based upon the outcome of those meetings, landowners are now proceeding to develop the necessary petitions and maps to create Agricultural Enterprise Area pilot projects.

Wis. Stats. 91.86(2)1 requires that each political subdivision, in which any part of the proposed AEA is located, jointly file the petition. DATCP has clarified that given the absence of administrative rules, two options are available:

Option A

LCC reviews the petition. If requirements of Wis. Stats. 91.86(3) are met, recommends the County Administrator sign the AEA petition on behalf of the County, and forward it to the Wisconsin Dept. of Agriculture, Trade, and Consumer Protection (DATCP), or

Option B

LCC reviews the petition. If requirements of Wis. 91.86(3) are met, forwards a resolution to the County Board for consideration.

L. Danielson distributed a map titled: Proposed Agricultural Enterprise Area in the Town of Goetz, Chippewa County, Wisconsin, (LCD 11/17/09, on file). The map shows the boundary of a proposed AEA, and the location of tax parcels located in and adjacent the AEA.

L. Danielson indicated that:

1. There are five (5) landowners within the AEA that have agreed to sign the AEA petition. These landowners would like to proceed by seeking the county's support, as needed to complete the petition forms and application to submit a pilot project under Wis. Stats. 91.84.
2. The service fees proposed by the LCC to service this program are acceptable to the petitioning landowners.

D. Masterpole advised that from the county's perspective, the next step is to consider how administratively to respond to a petition for an AEA, if one were filed.

There was general discussion. Discussion focused on:

1. The process for completing an AEA petition and project application.
2. The competitive nature and short deadline for submittal of project applications (2/26/2010) with no assurance of selection.
3. The service costs that will be incurred by the county and the proposed service fees that will be charged to program participants if an AEA pilot project were selected.

Motion to:

1. Recommend the Land Conservation Committee review, consider, and either approve or disapprove the Agricultural Enterprise Area (AEA) petition(s), submitted by applicants, and
2. Authorize the County Administrator to sign the petition(s) on behalf of the County, and forward the AEA petition(s) to the Wisconsin Dept. of Agriculture, Trade, and Consumer Protection for approval.

Cronquest/Goettl. Motion carried.

There was general agreement that the staff proceed by supporting the efforts of interested petitioners.

Item #3 – Consider Elements and Guiding Principles of a Transition Plan to Transfer Responsibility for County Forest Management to the Land Conservation Dept., as Assigned Under Resolution #33-09.

D. Masterpole distributed and the Committee reviewed an outline titled: Elements and Guiding Principles of a Transition Plan to Transfer Responsibility for County Forest Management to the Land Conservation Department as Assigned Under Resolution #33-09, (LCD Working Draft 11/17/09, on file). The draft transition plan establishes the guiding principles, transition period, and performance measures that will be applied when transferring responsibility for County Forest management to the LCD. They are as follows:

Guiding Principles

1. Focus on customer service.
2. Recognize the limits of available resources (\$, staff, skill sets). Clarify explicitly what services the department will continue to provide and what services the department will no longer provide.
3. Evaluate past management practices and current administrative processes. Adjust processes based on current limitations (\$, staff) and long-term management objectives.

*Adjust commitments historically made to assure a high level of “public accountability” and quality control, based upon the level of risk assumed.
4. Use quarterly work planning and product deliverables to schedule and complete the tasks to be conducted during the transition.
5. Use well defined performance measures to track and evaluate progress.
6. Use short-term project initiatives to:
 - A. Maintain existing working relationships and accomplish immediate objectives.
 - B. Build new working relationships and advance long-term goals, as established in the Chippewa County 15 Year Forest Plan and the Chippewa County Land and Water Resource Management Plan.
7. Do not compromise safety in the field.

Transition Period

12/2/09 – 12/31/2010

Performance Measures

Land Conservation

1. Completion of management staff work plans, 360 performance evals., and a free-standing transition plan evaluation.
2. Customer satisfaction survey.
3. # of CREP/CRP buffer contracts completed under USDA service agreement.
4. Submittal of Working Lands AEA Pilot Project.
5. Completion of Little Lake Wissota Project design and compilation of site specific project commitments.

Forest & Trail Management

1. Completion of management staff work plans, 360 performance evals., and a free-standing transition plan evaluation.
2. Customer satisfaction survey.
3. Level of compliance with DNR Forest Management audit.
4. Schedule timber sales/stumpage revenues.

There was general discussion. Discussion focused on:

1. Land Conservation Dept. staff reductions and associated conservation service cuts made through the 2010 budget process.
2. The responsibilities for county forest and related road/trails management, as assigned to the Land Conservation Dept. and Highway Dept. under Resolution #33-09.
3. The importance of establishing a department name and identity that would allow the county to maintain customer service.
4. The logistics and mechanics of a planned program transition.

There was general agreement that staff proceed by developing a detailed transition plan.

W.H. Reynolds left the meeting at 8:50 a.m.

Item #4 – Consider an Offer of Corporate Contribution to Support Water Conservation Efforts in Little Lake Wissota Watershed from 2010-2015. Consider Project Scope, Service Capacity, and Designated Staff Allocation.

J.T. Jensen distributed and the Committee reviewed a summary titled: Little Lake Wissota Buffer Project, Summary of Prospectus, (LCD 11/18/09, on file). The summary outlines a project proposal developed at the request of the Jacob Leinenkugel Brewing Company to advance a local water conservation stewardship initiative.

An outline and summary of the core content is as follows:

Background/Issue

•Little Lake Wissota is a 400 acres embayment of Lake Wissota, an impoundment of the Chippewa River near Chippewa Falls, WI. The lake was placed on the Wisconsin 303(d) impaired waters list in 1998. The DNR has recently submitted a Total Maximum Daily Load (TMDL) Plan for the Little Lake Wissota Watershed which sets pollution load (phosphorus) limits to meet water quality objectives.

•DNR research and computer models suggest that if best management practices were implemented,

pollution reduction goals can be met. It is anticipated that the LCD staff will work with agricultural producers and other landowners within the watershed to install best management practices needed to achieve the water quality goals. Wetland restorations and riparian buffers are the best management practices well-suited for use in the watershed.

- As a result of 2010 budget actions, the LCD does not now have the resources or staff to support the project.
- As proposed, the Leinenkugel's Brewing Company would provide a core corporate contribution of \$50,000 per year for five (5) years (\$250,000) for technical services to plan and install buffers and wetland restorations. The LCD would use this commitment to fund a 0.5 FTE, and would apply the balance to secure additional grants from public and private sources.

Objectives

- Improve water quality in Little Lake Wissota by installing wetland restorations and riparian buffers at a minimum of 20 sites covering a minimum of 200 acres within the Little Lake Wissota Watershed, and
- Develop partnerships to achieve community-based watershed improvements using a corporate contribution as a catalyst.

Potential Co-Sponsors

- Leinenkugel Brewing Company
- Xcel Energy – Chippewa River Natural Resources Fund
- US Fish & Wildlife Service Partners for Fish and Wildlife Program
- Wisconsin Department of Natural Resources, Lake Protection Grant Program
- Town of Lafayette
- Participating Private Landowners

Conservation Reserve Enhancement Program Agencies

- USDA Farm Service Agency
- USDA Natural Resource Conservation Service
- Wisconsin Department of Agriculture, Trade, and Consumer Protection

Timeframe

November 2009 through December 31, 2014

Schedule of Activities

- | | |
|--|-----------------|
| •Consider Leinenkugel funding contribution | 11/2009 |
| •Secure authorization of 0.5 FTE (Conservation Specialist) | 12/2009 |
| •Complete site assessments to establish site specific project pool | 4/2010 |
| •Implement demonstration project | 6/2010 |
| •Seek and gain landowner commitments | 10/2010 |
| •Prepare & submit grant applications | 2/2010 – 4/2011 |
| •Contract, design, and construct projects | 2010-2015 |

Potential Funding Sources

Sources	2010	2011	2012	2013	2014
DNR Lake Protection Grant		100,000	100,000	100,000	100,000
Leinenkugel Brewing Co.*	50,000	50,000	50,000	50,000	50,000
Xcel Nat. Res. Fund		10,000	10,000	10,000	10,000
Town of Lafayette	10,000	10,000	10,000	10,000	10,000
NAWCA		100,000		100,000	100,000
US Fish & Wildlife Service		10,000	10,000	10,000	10,000
DNR Wildlife Division		5,000	5,000	5,000	5,000
USDA & DATCP (CREP)	50,000	50,000	50,000	50,000	50,000

*The project budget would pay for technical services not to exceed \$42,000 in years 2010 through 2014.

R. Kees and M. Fleming, representing the Lake Wissota Improvement & Protection Association (LWIPA), addressed the Committee. They stated that:

1. Many scientific studies have been completed on Lake Wissota. Public education outreach is now being conducted to educate landowners and lake users regarding lake management issues.
2. A public informational meeting was held on 10/23/09 by LWIPA and was attended by lake residents, representatives from Leinenkugel's, and DNR to discuss lake management options.
3. LWIPA would support efforts by the county to provide technical services to landowners in the watershed, and would have an interest participating in this and other projects to improve Lake Wissota.

J.T. Jensen introduced the policy question:

Does the LCC want to accept the offer of donation from the Leinenkugel Brewing Co. and apply the funding to maintain a 1.0 FTE (Conservation Specialist) that will be reduced to a 0.5 FTE effective 1/1/2010 with the understanding that:

- This 0.5 FTE would be allocated to the CREP and the Little Lake Wissota Buffer Projects.
- Continuation of the 1.0 FTE position would be limited to 5 years, contingent upon annual funding commitments by the Leinenkugel Brewing Company.
- After 5 years, the position would return to 0.5 FTE unless other long-term funding can be secured.

There was general discussion. Discussion focused on:

1. Using the Leinenkugel's corporate contribution to fund a .05 FTE position to provide technical services towards the Little Lake Wissota Project.
2. Outside funding sources that would be used to augment the contribution.
3. Performance measures that would be used to evaluate progress, as a basis for ongoing corporate and public investments in the project.

Motion to recommend that the county accept the offer of donation from Leinenkugel Brewing Company and apply the funding to maintain a 1.0 FTE (Conservation Specialist) that will be reduced to a 0.5 FTE effective 1/1/2010, with the following conditions:

1. This 0.5 FTE time would be allocated to the CREP and the Little Lake Wissota Buffer Projects.
2. Continuation of the 1.0 FTE position would be limited to 5 years, contingent upon annual funding commitments by the Leinenkugel Brewing Company.
3. After 5 years, the position would return to 0.5 FTE unless other long-term funding can be secured.
4. The county's commitment for funding the 0.5 FTE position will be evaluated annually based upon the number of stream buffers and wetland restorations being installed through these projects.

Goettl/Boettcher. Motion carried.

Item #5 – Review Proposed Structure and Terms of a Request for Proposals (RFP) to Advance the County Office Paper Recycling Project.

R. Yohnk distributed and the Committee reviewed a report titled: Update on the Status of the Chippewa County Municipal Paper Recycling and Marketing Project, (LCC 11/18/09), (on file). The report provides an update on the status of the paper recycling and marketing project, the status of the county's current garbage and recycling contracts, and the bidding options that would be used to solicit bids for future services.

Issue

The Chippewa County Courthouse generates paper and is currently paying for the removal and recycling of paper products.

Purpose

To determine if it is feasible to collect and market paper generated from the Chippewa County facilities and other public institutions to local brokers and industries.

Steps Taken

An analysis was done to determine opportunities to collect and market paper from Chippewa County. An activity schedule was completed to rebid garbage and recycling services.

Next Steps

1. Continue to implement the steps outlined in the activities schedule to:
 - A. Determine the bid specifications and complete the RFP (Request for Proposal) for garbage and recycling services at County facilities. The County's Risk/Purchasing Management will provide the final RFP and contract templates.
 - B. Complete the RFP process by mailing bid packets to garbage and recycling contractors that service the area.
 - C. Terminate the current individual contracts for existing services upon their completion in April, August, and November. Contracts will be terminated by the DOA.
 - D. Enter into new contracts for garbage, commingled recyclables, and paper recycling. This will be a staged approach beginning in April, 2010. By the end of 2010, the Courthouse, Jail, Sheriff's Department, and Highway Department (CF) will be on the same contracts.

- E. Educate County staff on the changes to the complete garbage and recycling program. Recycling Coordinator will maintain records and compile reports on the new paper recycling program.

There was general discussion.

Discussion focused on:

1. The number and status of current garbage and recycling service contracts, as outlined in Att.2 of the report.
2. The structure of the recycling service bid options that would be contained in the RFP, as outlined in Att. 3 of the report.
3. The schedule for implementing the RFP and contracting process, as outlined in Att. 1 of the report.

There was general agreement that staff proceed by preparing and advancing a Request for Proposals (RFP).

Item #6 – Schedule a Hearing to Issue a Notice of Non-Compliance, as Required Under Wis. Stats., Chapter 91.80 and Chippewa County Soil and Water Conservation Standards, Section VIB.1 for Failure to Certify Compliance.

D. Masterpole distributed and the Committee reviewed:

1. Wis. Stats. 91.82; the statutory requirements for compliance monitoring under the Farmland Preservation Program.
2. Section VI of the Chippewa County Soil and Water Conservation Standards; the administrative procedures for compliance monitoring and enforcement.

He reported that:

1. Administrative procedures have been adopted to meet requirements of Wis. Stats. 91.80 to insure conservation program compliance. To meet these program requirements, the department administers an annual self-certification process.
2. The department is obligated to issue a notice of noncompliance to any landowner who does not participate in the self-certification process.
3. The department will be proceeding with administrative action, as required under the Chippewa County Soil and Water Conservation Standards, Section VIB, to schedule a hearing for those landowners who have not participated in the 2009 certification process.

Item #7 – Public Wishing to be Heard.

There was no public wishing to be heard.

Item #8- Committee Communication.

L. Willkom presented notes from the winners of the Chippewa County Environmental Speaking Contest, held at the Chippewa Falls Middle School on 10/12/09. The winners went on to the Area Wisconsin Land and Water Conservation Association held in Eau Claire on 10/29/09. T. Baier, St. Peter's School, won first place at that event and went on to the State Speaking Contest in Stevens Point on 11/7/09 where he won 3rd place.

The next regularly scheduled LCC meeting is set for 12/16/09 at 8:00 a.m.

Motion to adjourn: Boettcher/Goettl. Motion carried.

The meeting was adjourned at approximately at 10:00 a.m.