

<p>Notice of Public Meeting Thursday, March 12, 2020 8:30 a.m.</p>	<p>LAND CONSERVATION COMMITTEE</p>	<p>Door County Government Center Chambers Room, 1st floor 421 Nebraska Street, Sturgeon Bay, WI</p>
<p><i>Oversight for Soil & Water Conservation Department</i></p>		

AGENDA

1. **Call Meeting to Order**
2. **Establish a Quorum**
3. **Adopt Agenda / Properly Noticed**
4. **Correspondence**
5. **Public Comment** (Maximum agenda item of 30 minutes with a maximum of three minutes per speaker)
6. **Supervisor Response**
7. **Approve Minutes:** 1/9/20 LCC Minutes **Page 2**
8. **Personnel**
 - 8.1. SWCD Crew Lead and LTEs
 - 8.2. Conservationist Intern
9. **Invasive Species Update**
 - 9.1. Door County Invasive Species Team (DCIST) Fund Policy **Page 4**
 - 9.2. WDNR Donation for Prohibited Invasive Species Management – County Board Approval Resolution **Page 7**
10. **Flood Seminar Follow-up**
11. **Legislative Updates**
 - 11.1. AB 790 / SB 723 County Conservation Staffing
 - 11.2. Referred from Legislative Committee - Wood County Resolution – Revisions to Ch. NR 151 **Page 8**
12. **Upper Ahnapee Watershed Update**
 - 12.1. Approval of Analysis and Management Plan for The Upper Ahnapee River Watershed **Page 19**
 - 12.2. Great Lakes Sediment and Nutrient Reduction Program 2020 Application
13. **2020 Land and Water Resource Management Plan**
 - 13.1. Update on Public Input Sessions (Feb 17, 19, 20) and Local Advisory Committee Meeting (Feb 25)
 - 13.2. Discussion of 2010 Land & Water Resource Management Plan Strengths and Desired Updates
14. **Chapter 23 Agricultural Performance Standards & Animal Waste Ordinance**
 - 14.1. Review 2019 S & P Notifications **Page 22**
 - 14.2. Review 2019 Manure Hauling Audits **Page 24**
15. **Phosphorus Multi-discharger Variance Grant - County Board Approval Resolution **Page 25****
16. **Soil & Water Resource Management Grant Program**
 - 16.1. Landowner/Operator Cost-share Agreement Preliminary Approval(s) **Page 26**
17. **Wisconsin Conservation Reserve Enhancement Program Contract Amendment #1**
18. **Door County 2020 Private Well Monitoring Program **Page 28****
19. **Area & State Conservation Associations**
 - 19.1. WI Land + Water Conservation Association Annual Conference March 4-6, 2020 – Report on Conference
 - 19.2. LMALWCA Spring Conference – May 8, 2020, Manitowoc County
 - 19.3. WLWCA LCC Training – May 7, 2020 **Page 32**
20. **Budget Year End Carryovers **Page 34****
21. **Vehicle Replacement Update **Page 35****
22. **Vouchers, Claims and Bills **Page 36****
23. **Future Agenda Items**
24. **Next Meeting Dates:** April 9, 2020 8:30 a.m. & May 14, 2020 8:30 a.m. – Regular LCC Meeting
25. **Meeting Per Diem Code**
26. **Adjourn**

Deviation from the order shown may occur

"These minutes have not been reviewed by the oversight committee and are subject to approval at the next regular committee meeting."

MINUTES

Thursday, January 9, 2020

LAND CONSERVATION COMMITTEES

Door County Government Center
Chambers Room, 1st floor
421 Nebraska Street, Sturgeon Bay

Oversight for Soil & Water Conservation Department

1. **Meeting was called to order at 8:30 a.m.** by Chair Ken Fisher.
2. **Establish a Quorum - Roll Call**
Members present: Dan Austad, Vinni Chomeau, Ken Fisher, Randy Halstead, Mike Vandenhouten, and Richard Virlee.
Members absent: John Neinas
Others present: Erin Hanson and Beth Hanson – SWCD, CC Grant Thomas, Parks Superintendent Ben Nelson, Supervisor Bob Bultman. Present for a portion of a meeting: Dale Konkol, Kevin Seng, Samantha Koyen, Tim Dahl, and Brian Forest – SWCD, Facilities & Parks Director Wayne Spritka, Supervisor David Enigl; and members of the public.
3. **Adopt Agenda / Properly Noticed:** Motion by Dan Austad, seconded by Vinni Chomeau to adopt the agenda as posted. Motion carried.
4. **Correspondence:**
 - 4.1. Ken Fisher acknowledged receipt of an email from Don Freix regarding liquid manure.
5. **Public Comment:**
Public comment was given by:
Robert Sijger, Forestville
Don Freix, 8305 Quarter Line Road, Fish Creek
Dick Swanson, Algoma
Christine Reid, Forestville Flowage
Lori Jorgenson, Village of Forestville
6. **Supervisor Response:** None
7. **Approve Minutes:** Richard Virlee made a motion, seconded by Vinni Chomeau, to approve the November 14, 2019 Land Conservation Committee meeting minutes as corrected. Motion carried.
8. **Personnel**
 - 8.1. Erin Hanson introduced new Conservationists Samantha Koyen and Tim Dahl. Koyen and Dahl provided their educational and employment background information.
9. **Anonymous Reporting of Complaints**
Erin Hanson reviewed the process SWCD follows when handling public complaints. Hanson explained that if the caller leaves their name for follow-up, it is now public record as to who made the complaint and cannot guarantee that it will remain confidential. If public would want to remain anonymous, the public can call 1-800-TIP-WDNR, but this goes to the state and not the SWCD office. Grant Thomas explained that the County is obligated under law to provide that info if the County has it.
10. **Chapter 23 Agricultural Performance Standards & Animal Waste Ordinance**
 - 10.1. Erin Hanson reported on two recent manure spreading runoff events where citations were issued to both the landowner and operator, reviewing the conditions of the events, and how SWCD responds. Hanson explained that going forward SWCD will have continued emphasis on preparing quality plans with updated field restriction maps and proper nutrient management plan implementation. Discussion followed.
11. **Calendar Restrictions on Manure Applications**
 - 11.1. Erin Hanson reviewed the current standards that the County follows which includes Door County Code Chapter 23, the Silurian Bedrock Standards, NRCS 590 nutrient Management Standard and Wisconsin Administrative Code NR

243 which applies to large CAFOs that have a state permit. Grant Thomas explained the legal process to handle a bad actor.

- 11.2. Erin Hanson compared the current regulations Door County follows to the Kewaunee County's Public Health and Groundwater Protection ordinance which prohibits waste applications between January 1 and April 15 on areas with 20' or less of soil over Silurian Bedrock. A calendar does not dictate when the field conditions are suitable for manure application. Hanson explained the process to adopt stricter regulations than the current State regulations.

12. Door County Public Health & SWCD Drinking Water Contamination Policy

The policy was included to remind the committee of the process SWCD follows in dealing with notifying the public of potential water contamination.

13. Door County 2020 Flooding Informational Seminar

Erin Hanson reported on an upcoming Door County Flooding Seminar which is to be held on January 16, 2020 from 6:00 – 8:00 p.m. at the Door County Community Center. Hanson reviewed the Great Lakes Water Level Report where Lake Michigan just missed hitting a record high for December and is forecasted to go above the record level in February.

14. Targeted Runoff Management Grant Program

- 14.1. Mike Vandenhouten made a motion, seconded by Vinni Chomeau, approving the one-year extension of the Fabry Creek Headwaters Project Targeted Runoff Management grant. Motion carried.

15. Soil & Water Resource Management Grant Program

- 15.1. Randy Halstead made a motion, seconded by Richard Virlee, providing preliminary approval for Soil & Water Resource Management cost-share agreement with Mary Alyce Brann in the amount of \$1,059.60 for nutrient management. Motion carried.

16. 2020 Land & Water Resource Management Plan

- 16.1. Erin Hanson explained that the Door County Land & Water Resource Management Plan is the plan that guides the SWCD office and we are entering into the update period of the plan. Brian Forest provided background information of the plan, explaining that this plan identifies the resource concerns of the County, how we will address these concerns, why each County is required to prepare a plan, and the process to update Door County's plan.
- 16.2. Dan Austad made a motion, seconded by Richard Virlee, to approve and forward to County Board the resolution Creation and Appointment of a § ATCP 50.12(3)(A), Wis. Adm. Code Advisory Committee adding verbiage that no compensation, but are eligible for mileage, under Door County's Rules of Order will be paid. Motion carried.

17. Area & State Conservation Associations

- 17.1. Richard Virlee made a motion, seconded by Randy Halstead, approving the attendance of five LCC members to the March 4-6, 2020 Wisconsin Land + Water Conservation Association Annual Conference. Motion carried.
- 17.2. Randy Halstead made a motion, seconded by Vinni Chomeau, authorizing the spending of \$50 to put towards a fishing trip with Gary Nault for the WLWCA Annual Conference silent auction. Motion carried.

18. Vouchers, Claims and Bills: A listing was provided.

19. Future Agenda Items: Forestville Millpond Update

20. Next Meeting Date: March 11, 2020, 8:30 a.m. – Regular LCC Meeting

17. Meeting Per Diem Code: 109

18. Adjourn: Motion to adjourn by Richard Virlee, seconded by Vinni Chomeau at 10:27 a.m. Motion carried.

Respectfully submitted by Beth Hanson, SWCD Administrative Assistant

DOOR COUNTY SOIL and WATER CONSERVATION DEPARTMENT
Door County Invasive Species Team (DCIST) Fund

PURPOSE

The Door County Invasive Species Team (DCIST) was established in 2000 and seeks to halt the invasion of exotic non-native plants by empowering citizens with the education, the tools and the skills necessary to control invasive species. The Soil and Water Conservation Department (SWCD) was selected by the DCIST steering committee to serve as the fiscal manager for DCIST and holds donations in accounts designated solely for the purpose of managing invasive species within Door County. Activities funded with donations must be directly linked to managing invasive species and yield tangible, on the ground benefits.

Use of DCIST funds will be considered for one or any of the following:

- i. SWCD invasive species grant application match
- ii. SWCD recognized and DCIST identified invasive species project administration and activities
- iii. SWCD Municipal Cost Share Program

ROLE OF SOIL & WATER CONSERVATION DEPARTMENT PERSONNEL

To administer the DCIST donation account.

~~To obtain LCC approval for applicable grant applications.~~

To coordinate with DCIST members to keep them informed and solicit feedback as SWCD identifies, administers, and implements projects to manage invasive species in Door County.

To administer the Municipal Cost Share program.

To provide assistance in developing a priority invasive species treatment program with Municipal Cost Share applicant. To advise Municipal Cost Share applicants of all options available to them.

To present Municipal Cost Share applications to the LCC with recommendation for their approval or disapproval.

To review municipality's proposed treatment plan for compliance with minimum requirements and specifications of the Wisconsin Department of Natural Resources for treatments adjacent to waters of the state, Department of Trade and Consumer Protection required certification/licensing, the Door County Invasive Species Strategic plan, and this policy.

To inspect completed projects for final approval based on compliance with the approved treatment plan and this policy.

ROLE OF THE LAND CONSERVATION COMMITTEE

To make final approval of all eligible Municipal Cost Share applications.

To accept donations in excess of \$1,000.00 received on behalf of DCIST.

MUNICIPAL COST SHARE PROGRAM

ELIGIBILITY OF APPLICANT AND PROJECT FOR MUNICIPAL COST SHARE

Individuals and associations are not eligible for Municipal Cost Sharing.

Cost share funds shall be awarded to municipalities for treatment of priority invasive species listed in their ordinance. Including:

1.1. Municipality has adopted a noxious weed ordinance for priority species:

1.1.1. Common Reed (*Phragmites australis*)

1.2. Municipality has adopted a noxious weed ordinance which includes all of the following priority species:

1.2.1. Common Reed (*Phragmites australis*)

1.2.2. Wild Parsnip (*Pastinaca sativa*)

1.2.3. Japanese Knotweed (*Fallopia japonica* (Houtt.))

1.2.4. Common/Cut-Leaved Teasel (*Dipsacus*)

1.3. Municipality has adopted a noxious weed ordinance which includes the entire WI DNR NR 40 list.

However, Municipal Cost Share will only be provided for priority species.

Priority will be provided to first time applicants with approximately five applicants selected in a calendar year.

The proposed project must have a definite probability that it will significantly reduce priority invasive species.

Implementation of the project shall not begin before the treatment plan is approved by the SWCD.

The municipality is responsible for hiring contractors and ensuring contract completion.

GENERAL MUNICIPAL COST SHARE FUND ADMINISTRATION

SWCD Municipal Cost Sharing shall not exceed 100% of the total costs of an accepted priority invasive species treatment program up to \$500, and 50% of remaining costs up to an established maximum. Each year SWCD will establish maximum Municipal Cost Share amounts for an individual applicant. The total amount of Municipal Cost Share available shall be determined based on the fund balance.

When SWCD administered Municipal Cost Share funds are used in addition to other sources of funding, the SWCD administered Municipal Cost Share amount shall be applied last and shall be limited to an amount which results in the total Municipal Cost Share received from all sources to not exceed 100% of eligible costs. The SWCD total Municipal Cost Share annually determined maximum shall apply to, and include only, those items deemed eligible costs by the Municipal Cost Share program(s) administered by the SWCD.

The Municipal Cost Share applicant will provide copies of contractor invoices of labor, materials, equipment use and other costs incurred during project before any Municipal Cost Share funds may be distributed. Proof of payment, which includes canceled checks, and other evidences of payment, will be required prior to the issuance of Municipal Cost Share funds.

All Municipal Cost Share fund approvals expire on December 31 of the year that approval was given by the LCC. Carry-over of approved Municipal Cost Share funds from one calendar year to the next may be approved by the LCC at the applicant's written request.

Municipal Cost Share payments shall be paid following the completion of the project and submission of all required materials as outlined in the agreement.

Municipal Cost Share program will be reviewed on an annual basis to determine if there are sufficient funds to maintain the program.

MUNICIPAL COST SHARE APPLICATION PROCEDURE

Applicants may apply for Municipal Cost Share funds with the SWCD office by completing and submitting a **short treatment plan** proposal **of the for target** priority invasive species **control program** along with a **Request of** Municipal Cost Share **Request** form.

Participating municipalities shall sign a cooperative agreement with the SWCD at least six weeks prior to the anticipated treatment start date.

To remain eligible for funding, all final treatment plans must be pre-approved by the SWCD prior to project implementation. **Municipalities are responsible for selecting treatment plans generated by contractors and selecting contractors.**

Total cost and Municipal Cost Sharing per treatment program may be subject to change based on mutual agreement between the SWCD and the municipality.

MUNICIPAL COST SHARE VARIANCE PROCEDURE

The LCC may approve a variance from a requirement of this policy upon written request of the applicant if the LCC determines that a variance is essential to effect program objectives and where special circumstances make a variance in the best interest of the program. The LCC will consider such factors as good cause, circumstances beyond the control of the applicant, and financial hardship.

DEFINITIONS

Door County Invasive Species Strategic Plan: Document used to communicate with County residents, visitors and organizational partners the County's invasive species goals, actions needed to achieve those goals and all of the other critical elements developed during the invasive species strategic planning.

Priority Invasive Species: Four invasive plants, selected by Door County Invasive Species Team, which pose the greatest threat to the County's environment, economy, and human health. [Common Reed (*Phragmites australis*), Wild Parsnip (*Pastinaca sativa*), Japanese Knotweed (*Fallopia japonica* (Houtt.), Common/Cut-Leaved Teasel (*Dipsacus*)]

Noxious Weed: Weed that has been designated by an agricultural authority as one that is injurious to agricultural or horticultural crops, natural habitats or ecosystems, or humans or livestock. A governing body of any municipality or the county board of any county by ordinance or resolution declares to be **noxious** within the respective boundaries

Noxious Weed Ordinance: A piece of legislation enacted by a municipal authority to protect the environment and the public's health and safety against invasive non-native plants commonly referred to as noxious weeds. An ordinance affords municipal leaders the authority to enforce enacted legislation any way it deems fit.

ADOPTED BY THE LAND CONSERVATION COMMITTEE – 3/11/19



DOOR COUNTY

Resolution No. 2020-____
APPROVAL OF DONATION FOR PROHIBITED INVASIVE SPECIES MANAGEMENT

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
HEIM PETER			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
VIRLEE			
VLIES WOTACHEK			
WAIT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: The donated funds will be used for the specified purpose; no additional County funds are required. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of March, 2020 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Section 59.52(19) Wis. Stats. empowers the County Board to accept
2 donations, gifts, or grants of money for any public governmental purpose within the
3 powers of the County; and

4
5 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the County
6 of Door" requires approval of the Door County Board of Supervisors, for acceptance
7 of all donations, gifts, and grants whether in the form of money, or personal or real
8 property; and

9
10 **WHEREAS**, Rule of Order # 38, entitled 'Donations, Gifts or Grants', authorized
11 an oversight committee to accept donations, gifts or grants; requires County Board
12 be provided notice of any donation, gift or grant in excess of \$1,000 prior to
13 acceptance; and requires that an itemized report of all donations, gifts or grants shall
14 be submitted to the county board on an annual basis; and

15
16 **WHEREAS**, The Soil and Water Conservation Department (SWCD) has received
17 a donation from the Wisconsin Department of Natural Resources (WDNR) Prohibited
18 and Early Detection Invasive Plant (PEDIP) funding in the amount of \$3,500. The
19 purpose of said donation is to provide funding for equipment, monitoring, control and
20 other necessary expenses incurred for the successful management of the county
21 prohibited invasive species Black swallow-wort (*Vincetoxicum nigrum*) & Chocolate
22 vine (*Akebia quinata*); and

23
24 **WHEREAS**, No new budget funds are being requested. No match monies are
25 required; and

26
27 **WHEREAS**, The Land Conservation Committee has voted to accept the aforesaid
28 donation.

29
30 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
31 Supervisors does hereby accept the WDNR PEDIP funding \$3,500.

32
33 **BE IT FURTHER RESOLVED**, That the aforesaid donation shall be administered
34 by the SWCD as fiscal manager subject to oversight by the Land Conservation
35 Committee.

**SUBMITTED BY:
LAND CONSERVATION COMMITTEE**

Ken Fisher, Chair

John Neinas

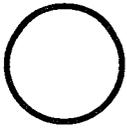
Dan Austad

Mike Vandenhouten

Vinni Chomeau

Richard Virlee

Randy Halstead



ITEM# 4 - 1

DATE December 17, 2019

Effective Date December 17, 2019

RESOLUTION# 19-12-20

Introduced by CEED
Page 1 of 1

Motion: Adopted: [X]
1st Clendenning Lost: []
2nd Rozar Tabled: []
No: 2 Yes: 17 Absent: 0
Number of votes required:
[X] Majority [] Two-thirds
Reviewed by: PAK, Corp Counsel
Reviewed by: , Finance Dir.

SAW

INTENT & SYNOPSIS: To encourage the Wood County Board of Supervisors to support the proposed revisions to Ch. NR 151, Wis. Adm. Code, which will set newer Targeted Performance Standards and Prohibitions to abate pollution of groundwater by nitrate in areas of the state with highly permeable soils that are susceptible to groundwater contamination.

FISCAL NOTE: There are no fiscal obligations for the County associated with this resolution.

Table with 5 columns: NO, YES, A. Rows 1-19 listing supervisors and their votes.

WHEREAS, good quality groundwater in sufficient quantity is a basic resource that all citizens and businesses in the State of Wisconsin, as well as Wood County, rely upon. The citizens and businesses of our great state and county expect state government to monitor and protect the groundwater in our state in such a way that we may all prosper; and

WHEREAS, nitrate is the most widespread groundwater contaminant in Wisconsin and is especially prevalent in areas with highly permeable soils. Evidence suggests that the statewide standards are insufficient to achieve surface water quality and groundwater standards in areas with highly permeable soils; and

WHEREAS, the NR 151 revision process will allow for local input and give local stakeholders the opportunity to be part of the rule making and develop a rule that is designed to protect both surface and groundwater; and

WHEREAS, for some time now in an effort to work together and share resources across county lines the County Land and Water Conservation Departments (being the lead agency), Public Health Departments, UW Madison-Extension Departments, and County Board Supervisors in the central sands area of Adams, Juneau, Marquette, Portage, Waushara, Wood and Sauk County have joined together to form the Central Sands Groundwater County Collaborative (CSGCC); and

WHEREAS, because of the unique geographic features found throughout the State of Wisconsin this six county collaborative feels that it is necessary to assess the environmental impacts and draft water quality standards that are based on a county-by-county or a regional basis, recognizing the vulnerability of some geographic features which are highly susceptibility to contamination.

THEREFORE, BE IT RESOLVED, that the Wood County Board of Supervisors supports performance standards that must include modifications to nutrient management plans; application rates of manure and or commercial fertilizers; timing of nutrient management application; no spreading on already saturated soils; crop rotations, and implementation of growing crops year round as cover crops which store unused nitrogen in the soil.

BE IT FURTHER RESOLVED, that a copy of this resolution be directed to the attention of the Governor of the State of Wisconsin, Wisconsin Counties Association, Wisconsin Towns Association, State Legislators, and to each Wisconsin County.

()

Signatures of Kenneth Curry, Mark Holbrook, Robert Ashbeck, Dave LaFontaine, Bill Leichtnam, Harvey Petersen - Citizen Member

Adopted by the County Board of Wood County, this 17th

day of December 20 19

Signature of County Clerk

Signature of County Board Chairman

County Clerk

County Board Chairman

Wisconsin Natural Resources Board Approves DNR Scope Statement for Regulations Aimed at Protecting Drinking Water

Contact(s): DNR Media Line, 608-266-3143, DNRPress@Wisconsin.gov

December 11, 2019 at 10:04:42 am

MADISON, Wis. - The Wisconsin Natural Resources Board voted 5-1 on Tuesday to approve the Wisconsin Department of Natural Resources' scope statement related to decreasing nitrate pollution in areas of the state with highly permeable soils susceptible to groundwater contamination.

Along with the scope statement - a broad outline of a rule - the vote also conditionally approves the public hearing notice and notice of submittal related to NR 151 and 243 targeted performance standards and prohibitions to abate nitrate pollution in groundwater in sensitive areas.

Approval of the scope statement allows the department to develop detailed rules that require final approval from the Legislature. The process takes approximately 30 months.

"This process is going to take us a couple of years and is going to have all the stakeholders at the table," said NRB Chairman Dr. Frederick Prehn. "It's a step in the right direction. Hopefully, it's a quantitative step that changes the water. The public wants solutions, and (agriculture) wants to be a part of that."

Nitrate is Wisconsin's most widespread groundwater contaminant. Approximately 90% of nitrate in groundwater originates from agricultural sources such as land application of fertilizers and manure.

The majority of nitrate in groundwater comes from fertilizer applied to cornfields. The use of nitrogen fertilizer has been increasing for decades. Elevated nitrate can cause miscarriage, congenital disabilities, elevated cancer risk and other disorders.

During their September meeting, the board directed the DNR to expand public input regarding the department's process in developing rules relating to the state's water quality standards. Additional public hearings were held in Fond du Lac, Hancock and Janesville.

To achieve water quality standards required by state statute, NR 151 establishes statewide runoff pollution performance standards, prohibitions and practices for agricultural facilities. The rule also sets performance standards for non-agricultural facilities and transportation facilities.

By law, if the statewide performance standards and prohibitions do not achieve state water quality standards, the DNR may develop targeted performance standards.

Immediately following the vote, Secretary-designee Cole expressed his gratitude to the board for their hard work and commitment to safe, clean drinking water.

"We've done it before a hundred times over, and we will do this with transparency and openness from this administration," Cole said. "It will be a long, difficult road, but this board is duly appointed to deal with some of the most troubling issues, and, quite frankly, I can't think of a better group of individuals to work with."

The board reconvened 8:30 a.m. on Dec. 11 at the State Natural Resources Building (GEF 2), 101 S. Webster St. Board meetings are [webcast live](#). After each meeting, the webcast will be permanently available on demand. The complete December board agenda is available [here](#).

Article from: <https://dnr.wi.gov/news/releases/article/?id=4990>

Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item

Item No. Tuesday
2 . D .

SUBJECT:

Request that the Board approve the Statement of Scope for Board Order WT-19-19 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapters NR 151 and NR 243, Wis. Adm. Code, related to targeted performance standards and prohibitions to abate pollution of groundwater by nitrate in sensitive areas.

FOR: December 2019 Board meeting

PRESENTER'S NAME AND TITLE: Brian Weigel - Deputy Director, Watershed Bureau; Ann Kipper - Deputy Administrator, External Services Division

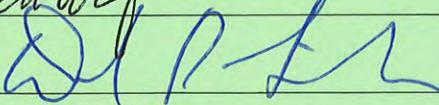
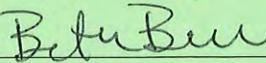
SUMMARY:

The purpose of the proposed revisions to ch. NR 151, Wis. Adm. Code, and limited incorporation by reference of those proposed revisions to ch. NR 243, is to establish agricultural nonpoint source performance standards targeted to abate pollution of nitrate in areas of the state with highly permeable soils which are susceptible to groundwater contamination (sensitive areas) for the purpose of achieving compliance with the nitrate groundwater standards. Pursuant to s. 281.16(3)(a), Stats., the Department of Natural Resources is directed to promulgate by rule nonpoint source performance standards and prohibitions that are designed to comply with state surface water quality standards and groundwater quality standards. The department has found that groundwater standards for nitrate in sensitive areas are currently being exceeded and will not be attained by implementing the statewide performance standards and prohibitions and, pursuant to NR 151.004 Wis. Admin Code, targeted performance standards are necessary to attain groundwater standards for nitrate in these sensitive areas.

RECOMMENDATION: That the Board approve the statement of scope for Board Order WT-19-19 and conditionally approve the public hearing notice for Board Order WT-19-19 and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse.

LIST OF ATTACHED MATERIALS:

- Statement of scope
- Governor approval of statement of scope

Approved by	Signature	Date
Brian Weigel, Deputy Director		11/22/19
Dave Siebert, Division Administrator		11/22/19
 Preston D. Cole, Secretary		12/3/19

cc: Board Liaison - AD/8
Department Tribal Liaison - AD/8

Program attorney - LS/8

Department rule officer - LS/8

by Beth Bier

CORRESPONDENCE/MEMORANDUM

DATE: December 3, 2019

TO: Natural Resources Board Members

FROM: Preston D. Cole, Secretary

SUBJECT: Summary of preliminary public hearings and comments received on the statement of scope for Board Order WT-19-19, relating to targeted performance standards to abate nitrate in groundwater

On August 27, 2019, the co-chairperson of the Joint Committee for the Review of Administrative Rules (JCRAR) requested that the department hold a preliminary public hearing and comment period on the scope statement for Board Order WT-19-19, pursuant to s. 227.136(1), Wis. Stats. The statement of scope contemplates rulemaking to revise chs. NR 151 and NR 243 relating to the development of targeted performance standards to abate pollution of groundwater by nitrate. This memo summarizes the comments received at the public hearings and during the period for written public comments.

Public Hearings

The department held preliminary public hearings at Hancock Research Station on November 4, 2019, Blackhawk College on November 6, 2019, and Fond du Lac on November 7, 2019. Appearance slips submitted by members of the public included 32 at Hancock, 14 at Janesville, and 23 at Fond du Lac. Not all attendees offered comments. Oral testimony was recorded.

Written Public Comment

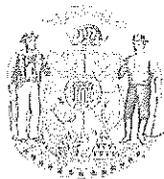
The department received 93 individual submittals prior to the public comment period ending on November 8, 2019. The department and Natural Resources Board has received additional comments for consideration outside of the official comment period.

General Summary of Comments

- Nitrate contamination is widespread in Wisconsin, affecting tens of thousands of wells.
- Something must be done about nitrate contamination.
- Nitrate groundwater contamination is significant in the central sand region.
- Other areas of the state also have high nitrate concentrations in groundwater and should also be considered as sensitive, particularly the southwestern portion of the state.
- The department should look at both areas of high levels of nitrates in groundwater and areas with highly susceptible soils.

- The department has not identified the specific waterbody or area that the proposed rule would apply to.
- Existing rules are not working in some geologic areas.
- The department has not documented substantial implementation of existing rules to justify the need for a targeted standard.
- Many producers are following nutrient management plans and other cropland conservation practices.
- The scope statement was developed without input from the agriculture industry.
- Nitrate pollution is linked to significant health issues.
- Consider a broader range of factors affecting nitrates in groundwater than just soil permeability.
- Wisconsin citizens should have clean drinking water.

Drafter: Brian Weigel and Ann Kipper



Tony Evers

Office of the Governor | State of Wisconsin

August 9, 2019

By Electronic Mail Only

Dear Secretaries and Agency Heads:

On this day, I approved the following statements of scope pursuant to Wis. Stat. § 227.135(2):

- A statement of scope by the Chiropractic Examining Board, dated June 27, 2019, relating to courses of study for and delegation to chiropractic technicians and chiropractic radiological technicians (Wis. Admin. Code ch. Chir 10); and
- A statement of scope by the Optometry Examining Board, dated May 30, 2019, relating to unprofessional conduct (Wis. Admin. Code ch. Opt 5); and
- A statement of scope by the Department of Safety and Professional Services, dated May 9, 2019, relating to tattooing and body piercing (Wis. Admin. Code ch. SPS 221); and
- A statement of scope by the Department of Administration, dated April 22, 2019, relating to updating standards to implement the Uniform Real Property Electronic Recording Act (Wis. Admin. Code ch. Adm 70); and
- A statement of scope by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors, dated April 23, 2019, relating to general procedures (Wis. Admin. Code ch. A-E 2); and
- A statement of scope by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors, dated April 23, 2019, relating to professional conduct (Wis. Admin. Code ch. A-E 8); and
- A statement of scope by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors, dated April 23, 2019, relating to architect registration examinations (Wis. Admin. Code ch. A-E 3); and
- A statement of scope by the Department of Public Instruction, dated July 16, 2019, for an emergency and permanent rule relating to clarifying high cost special education aid (Wis. Admin. Code ch. PI 30); and
- A statement of scope by the Department of Natural Resources dated July 15, 2019, relating to targeted performance standards and prohibitions to abate pollution of groundwater by nitrate sensitive areas (Wis. Admin. Code chs. NR 151 and 243).

On this day, I approved the following proposed administrative rules pursuant to Wis. Stat. § 227.185:

- A proposed rule by the Optometry Examining Board, submitted on June 12, 2019, relating to licensure by endorsement (Wis. Admin. Code ch. Opt 4); and
- A proposed rule by the Optometry Examining Board, submitted on July 18, 2019, relating to diagnostic and therapeutic pharmaceutical agents (Wis. Admin. Code ch. Opt 6); and
- A proposed rule by the Chiropractic Examining Board, submitted on July 3, 2019, relating to delegation of services to health care professionals (Wis. Admin. Code chs. Chir 1, 4, 10 and 11); and
- A proposed rule by the Accounting Board, submitted on June 11, 2019, relating to continuing professional education (Wis. Admin. Code chs. Accy 2 and 7); and
- A proposed rule by the Department of Health Services, submitted on July 8, 2019, relating to a uniform fee system (Wis. Admin. Code ch. DHS 1); and
- A proposed rule by the Office of the Commissioner of Insurance dated July 3, 2019, relating to Medicare supplement insurance (Wis. Admin. Code ch. INS 3).

Please direct any questions about this letter to my policy director, Jenni Dye.

Sincerely,



Tony Evers
Governor

Cc: Ryan Nilsestuen, chief legal counsel (ryan.nilsestuen1@wisconsin.gov)
Jenni Dye, policy director (jenni.dye@wisconsin.gov)
DOA State Budget Office (SBOAdminRules@spmail.enterprise.wistate.us).
DSPA (DSPAAdminRules@wisconsin.gov)
Davis Ciotola, DHS (Davis.Ciotola@dhs.wisconsin.gov).
Daniela Branco, DNR (DanielaH.Branco@wisconsin.gov)
Brian Vigue, DOA (brian.vigue@wisconsin.gov)
Carl Bryan, DPI (carl.bryan@dpi.wi.gov)
DOC (DOCAdministrativeRulesCommittee@wisconsin.gov)
Nathan Houdek, OCI (nathan.houdek@wisconsin.gov)

STATEMENT OF SCOPE

Department of Natural Resources

Rule No.: WT-19-19

Relating to: Targeted Performance Standards and Prohibitions to abate pollution of groundwater by nitrate in sensitive areas

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

The rules will be proposed as permanent rules.

2. Detailed description of the objective of the proposed rule:

The purpose of the proposed revisions to ch. NR 151, Wis. Adm. Code, and limited incorporation by reference of those proposed revisions to ch. NR 243, is to establish agricultural nonpoint source performance standards targeted to abate pollution of nitrate in areas of the state with highly permeable soils which are susceptible to groundwater contamination (sensitive areas) for the purpose of achieving compliance with the nitrate groundwater standards. Pursuant to s. 281.16(3)(a), Stats., the Department of Natural Resources is directed to promulgate by rule nonpoint source performance standards and prohibitions that are designed to comply with state surface water quality standards and groundwater quality standards. Where statewide nonpoint source performance standards have been substantially implemented, they have not proven sufficient to achieve surface water quality standards or groundwater standards in sensitive areas. The department has found that surface water quality standards or groundwater standards in sensitive areas will not be attained by simply implementing the statewide performance standards and prohibitions and, pursuant to NR 151.004 Wis. Admin Code, targeted performance standards are necessary to attain surface water quality standards or groundwater standards.

The rule revisions will define sensitive areas in the state and the performance standards needed to protect surface and groundwater quality in these areas. Soil maps based, in part, on soil permeability in conjunction with groundwater quality information may be used to define sensitive areas. Information related to soil permeability, groundwater quality, and modeling may be used to refine sensitive area designations. Performance standards may include modifications to: nutrient management plans; application rates of manure or commercial fertilizer; timing of nutrient application; crop rotations; setbacks from drinking water supplies for manure and fertilizer applications; and additional changes or management practices expected to achieve surface water quality standards and groundwater standards in the sensitive areas.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The current Subch. II of ch. NR 151 (Agricultural Performance Standards and Prohibitions) was originally promulgated in 2002 and revised in 2010 and 2018. It contains statewide performance standards and prohibitions for agricultural and nonagricultural facilities designed to achieve surface water quality standards and groundwater standards. Section NR 151.004 provides for targeted performance standards to be created if the statewide standards are insufficient to achieve surface water quality standards or groundwater standards in sensitive areas. In 2018, the targeted performance standard at NR 151.075 was created to reduce the risk of groundwater contamination posed by pathogens from manure applied to land in areas of the state with shallow soils over Silurian dolomite bedrock.

Existing facilities are not required to comply with the agricultural performance standards or prohibitions unless cost sharing is made available. The department has already promulgated rules under which cost sharing is made available and those rules will apply to this proposed targeted performance standard.

Nitrate is the most widespread groundwater contaminant in Wisconsin and it is especially prevalent in areas with highly permeable soils. Evidence suggests that the statewide standards are insufficient to achieve surface water quality and groundwater standards in areas with highly permeable soils. Highly permeable soils may be found throughout the state, and the proposed target standards that are developed as part of this rulemaking effort will only apply to these sensitive areas.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

State water and sewage statute at ch. 281 Stats. authorizes the department to promulgate agricultural performance standards to achieve surface water and groundwater quality standards.

Section 281.16 (3)(a), Stats., authorizes the department to promulgate rules prescribing performance standards and prohibitions for agricultural facilities and agricultural practices that are nonpoint sources. The performance standards and prohibitions shall be designed to achieve water quality standards by limiting nonpoint source pollution. "Nonpoint source water pollution" is defined as pollution of waters of the state that does not result from a point source. Section 281.16(1)(f), Stats.

Waters of the state include surface water and groundwater. Sections 281.01(18) and 283.01(20) Stats define "Waters of the state" as those portions of Lake Michigan and Lake Superior within the boundaries of this state, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within this state or its jurisdiction.

Section NR 151.004 Wis. Admin. Code clarifies that if the department finds that water quality standards or groundwater standards will not be attained using statewide performance standards and prohibitions, but the implementation of targeted performance standards would attain water quality standards or groundwater standards, the department shall promulgate the targeted performance standards by rule.

State pollution discharge elimination statute at ch. 283 Stats. provides authority for the department to require agricultural point sources to comply with agricultural performance standards which are protective of water quality standards. Section 283.31(3), Stats., provides authority for the department to issue a permit for the discharge of any pollutant from a point source to waters of the state on condition that the discharges will meet groundwater protection standards and any more stringent limitations necessary to meet state water quality standards. Section 283.31(4), Stats provides authority to proscribe conditions for permits that assure compliance with the requirements of s. 283.31(3) Stats. Section 283.13(5), Stats. provides authority to include more stringent limitations in permits when necessary to meet water quality standards or other state requirements.

Section 227.11 (2)(a)(Intro.), Stats., provides that a state agency, "may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute", subject to certain restrictions.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

It is estimated that department employees will spend approximately 3,000 hours developing this rule. This estimate includes staff time related to obtaining advice and comments from stakeholders through a technical advisory committee.

6. List with description of all entities that may be affected by the proposed rule:

Entities affected by this rule include: rural residents with private wells; users of community and non-community wells; agricultural producers and their consultants; agricultural cooperatives and fertilizer

retailers; county land conservation departments; and the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP).

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

The United States Department of Agriculture – Natural Resources Conservation Service (NRCS) develops technical standards that apply to agricultural facilities and practices. Technical standards may be required for agricultural producers to qualify for federal grant or cost-share assistance, and to qualify for state tax credits through the Farmland Preservation Program administered by DATCP. Applicable NRCS technical standards will be incorporated in this ch. NR 151 targeted performance standard by reference.

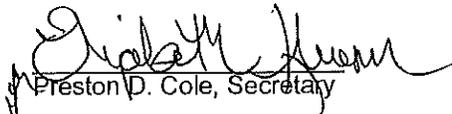
8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

It is estimated that the economic impact of this rulemaking would be "moderate" (between \$50,000 and \$5 million per year, combined for all impacted stakeholders). It will likely have an impact on small business, namely agricultural producers and supporting businesses – the level of impact is currently indeterminate and will be assessed during the rulemaking process.

9. Anticipated number, month and locations of public hearings:

The department anticipates holding three to four public hearings in the spring of 2021. Hearing locations will likely be: Wisconsin Rapids, La Crosse, and Madison.

Contact Person: Brian Weigel, (608) 225-4964


Preston D. Cole, Secretary

7/15/19
Date Submitted

Hanson, Beth

Subject: FW: WDNR and EPA determination that Door County - Upper Ahnapee River watershed plan is consistent with 9 Elements - 02-27-2020

Importance: High

From: Craig, Andrew D - DNR <Andrew.Craig@wisconsin.gov>

Sent: Thursday, February 27, 2020 3:50 PM

To: HANSON, ERIN <ehanson@co.door.wi.us>; Forest, Brian <bforest@co.door.wi.us>

Cc: Carviou, Erin E - DNR <Erin.Carviou@wisconsin.gov>; Marquardt, Keith A - DNR <KeithA.Marquardt@wisconsin.gov>; Oldenborg, Kimberly A - DNR <Kimberly.Oldenborg@wisconsin.gov>; Geisenhoffer, Colin (geisenhoffer.colin@epa.gov) <geisenhoffer.colin@epa.gov>; Lowndes, MaryAnne - DNR <MaryAnne.Lowndes@wisconsin.gov>; Carviou, Erin E - DNR <Erin.Carviou@wisconsin.gov>; Geisenhoffer, Colin (geisenhoffer.colin@epa.gov) <geisenhoffer.colin@epa.gov>; Jim Kettler <jim@lnrp.org>; Gansberg, Mary K - DNR <Mary.Gansberg@wisconsin.gov>; Weigel, Brian M - DNR <Brian.Weigel@wisconsin.gov>; Matt Krueger <matt@wisconsinlandwater.org>; Hoeft, Renee L - DNR <Renee.Hoeft@wisconsin.gov>; Person, Ruth A - DNR <Ruth.Person@wisconsin.gov>; Trumble, Lisa K - DATCP <Lisa.Trumble@wisconsin.gov>; Baeten, Joseph B - DNR <Joseph.Baeten@wisconsin.gov>; 'bonnessd@kewauneeeco.org' <bonnessd@kewauneeeco.org>

Subject: WDNR and EPA determination that Door County - Upper Ahnapee River watershed plan is consistent with 9 Elements - 02-27-2020

Importance: High

Erin, Brian (and others):

After consulting with EPA last week re: revised Upper Ahnapee River watershed plan and corresponding response document showing how all WDNR/EPA review comments were addressed, we are pleased to confirm the plan is now consistent with EPA's nine key elements.

Congratulations.

The portion of the HUC 12 watersheds (HUC 04030120203 and 04030120203) within Door County - see map below – are now eligible for grants using federal section 319 funds.

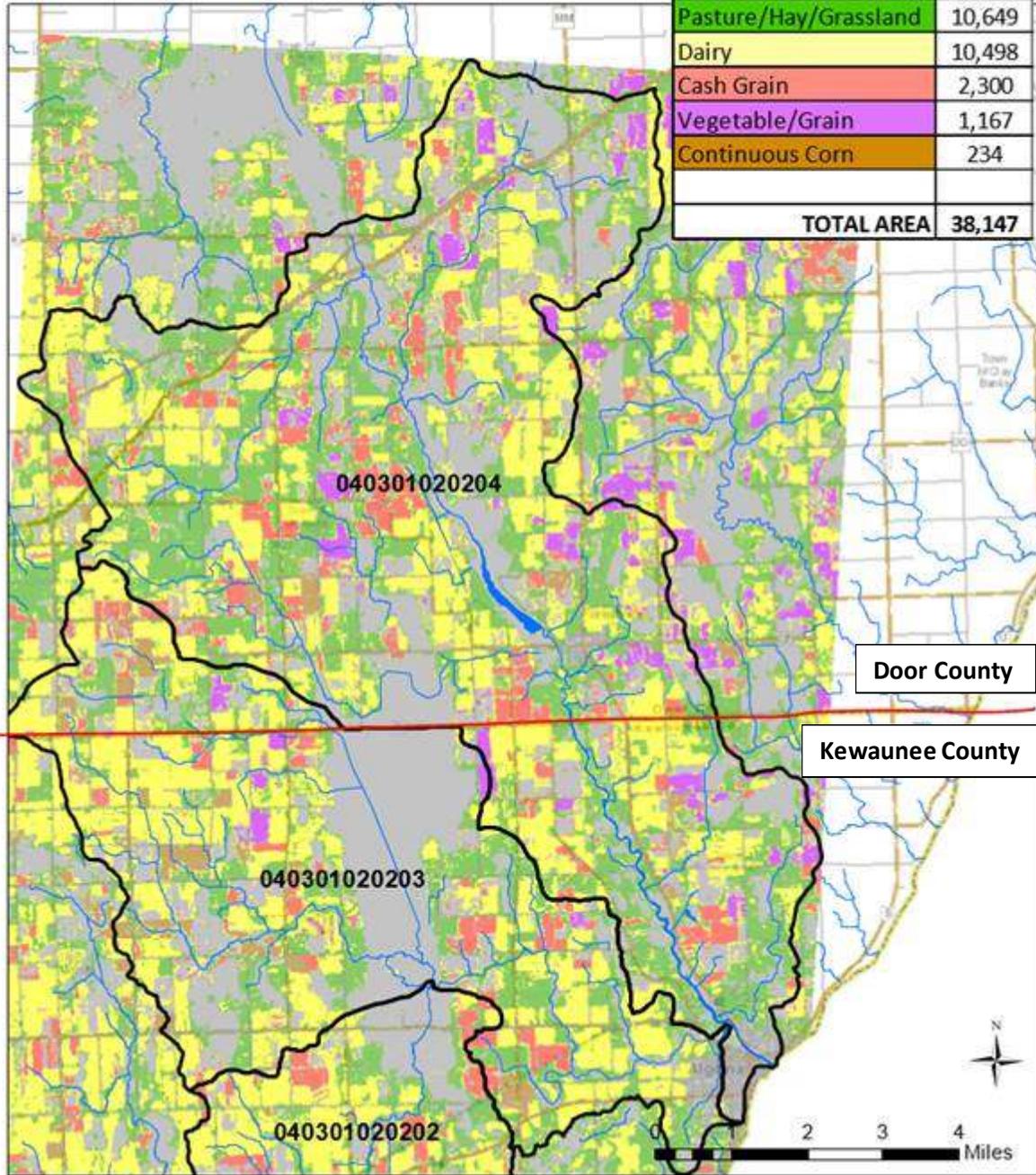
We will post this plan to WDNR 9E plan webpage in March 2020.

FYI – in March 2020, we plan to complete review and provide approval of Kewaunee County's 9 element plan – which covers the Kewaunee county area within the three HUC 12 watersheds shown below.

Crop Rotation Analysis 2010 - 2015

DRAFT

ROTATION	ACRES
No Agriculture	13,299
Pasture/Hay/Grassland	10,649
Dairy	10,498
Cash Grain	2,300
Vegetable/Grain	1,167
Continuous Corn	234
TOTAL AREA	38,147



We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Andrew Craig

Phone: (608) 267-7695

Andrew.Craig@wisconsin.gov

Analysis and Management Plan
for
The Upper Ahnapee River Watershed

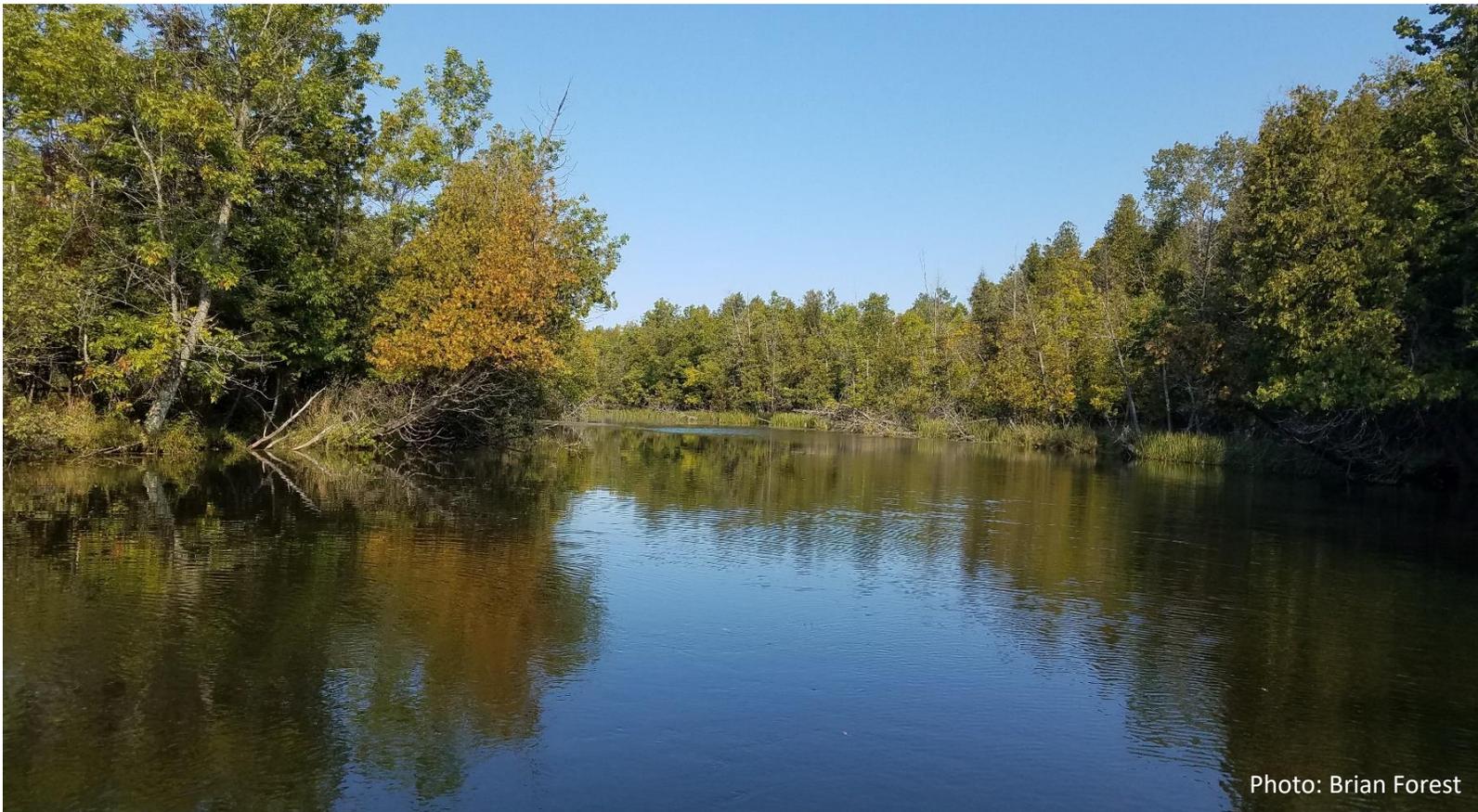


Photo: Brian Forest

January 2020

Prepared by:

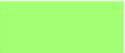
Door County

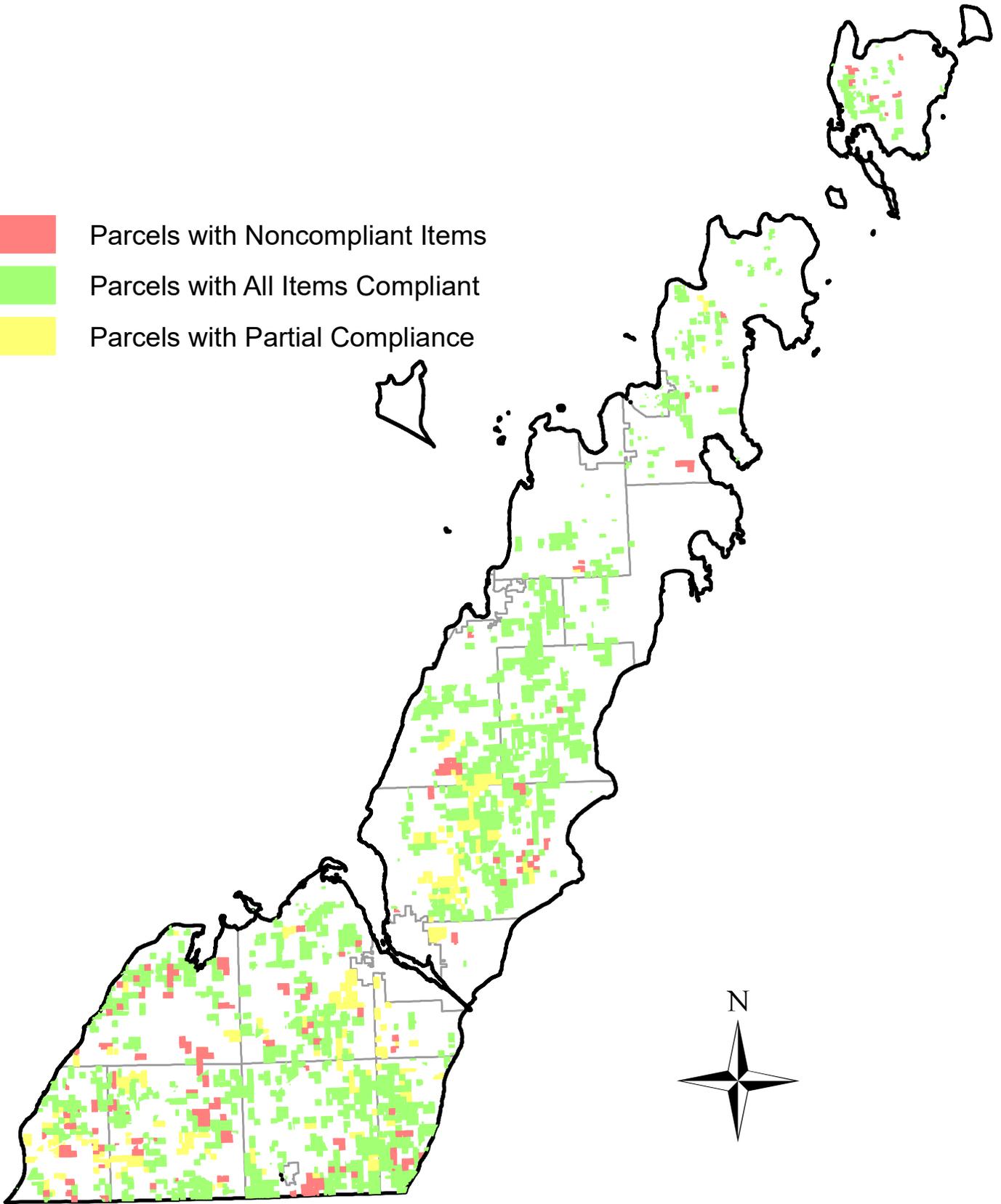
Soil and Water Conservation Department

Complete Plan can be found here: <http://map.co.door.wi.us/swcd/>

Parcel Compliance Status

February 28, 2020

-  Parcels with Noncompliant Items
-  Parcels with All Items Compliant
-  Parcels with Partial Compliance



Chapter 23 Notification Summary ~2019~

66 Landowner Notifications were sent in 2019

- 46 of these were notifications of compliance with all Chapter 23 items.
 - 3 of these 46 were inventoried for the first time and determined to be compliant
 - 2 of these 46 were not eligible for cost-share assistance and achieved compliance; follow up notifications were sent
 - 26 of these 46 had been previously notified of noncompliant items and achieved compliance with cost-share assistance; follow up notifications were sent
 - 15 of these 46 had been previously notified of noncompliant items and achieved compliance without cost-share assistance; follow up notifications were sent

- 20 of these identified items that are/were noncompliant with Chapter 23
 - 6 of these 20 accepted cost-share assistance to develop a Nutrient Management Plan; upon submission of plans and review for compliance, follow up compliance notifications will be sent.
 - 1 of these 6 also has livestock issues, but there was no offer of cost-share made for those items. Noncompliant items will remain and if funding is available, an offer of cost-share will be made and a deadline for compliance will be established in a follow up notification.
 - 1 of these 6 also has field erosion issues and has accepted cost-share assistance to address this during the 2020 construction season. Upon completion of all required practices, a follow up notification will be sent for all items associated with Chapter 23.
 - 10 of these 20 did not accept cost-share assistance to develop a Nutrient Management Plan; upon submission of plans and review for compliance, follow up compliance notifications will be sent.
 - 1 of these 10 also has livestock issues, but there were no offer of cost-share made for those items. Noncompliant items will remain and if funding is available, an offer of cost-share will be made and a deadline for compliance will be established in a follow up notification.
 - 1 of these 10 also has field erosion issues and has not accepted cost-share assistance to address this. The deadline for compliance will remain. Upon completion of all required practices, a follow up notification will be sent for all items associated with Chapter 23.
 - 4 of these 20 had noncompliant items that were identified as new issues and are not eligible for cost-share assistance. These landowners were informed of the corrective measures needed and deadlines were established for each.

Overview of 2019 Manure Hauling Audits

NON-CAFO

- 15 audits
- 7 had no identified issues, compliant manure applications
- 8 had noncompliant manure applications
 - Spread on < 24 inches soil
 - Spread over exposed bedrock
 - Missed well setback
 - Missed setback to conduit to groundwater (rock pile)
 - No field restriction maps
- 4 audits resulted in citations to operators

CAFO

- 17 audits – multiple fields/audit
 - 8 had no identified issues, compliant manure applications
 - 9 had noncompliant manure applications
 - Spread on < 24 inches soil
 - Missed well setback
 - Missed setback to conduit to groundwater (rock pile)
 - Mapping errors in field restriction maps
 - Excessive soil erosion
 - Manure left the field, manure discharge to waters of the state
 - 6 audits resulted in citations (issued by parcel) to operators, some landowners, one custom hauler
- **Concerns about saturated soils and forecasted weather



DOOR COUNTY

Resolution No. 2020 - ___

APPROVAL OF MULTI-DISCHARGER PHOSPHORUS VARIANCE GRANT

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSON			
HALSTEAD			
HEIM PETER			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLIES WOTACHEK			
WAIT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: The Grant funds will be used for the specified purpose per lines 18-19; no additional County funds are required. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of March, 2020 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Section 59.52(19) Wis. Stats. empowers the County Board to accept donations,
2 gifts, or grants of money for any public governmental purpose within the powers of the County;
3 and
4
5 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the County of Door"
6 requires approval of the Door County Board of Supervisors, for acceptance of all donations, gifts,
7 and grants whether in the form of money, or personal or real property; and
8
9 **WHEREAS**, Rule of Order # 38, entitled 'Donations, Gifts or Grants', authorizes an oversight
10 committee to accept donations, gifts or grants; requires County Board be provided notice of any
11 donation, gift or grant in excess of \$1,000 prior to acceptance; and requires that an itemized
12 report of all donations, gifts or grants be submitted to the County Board on an annual basis; and
13
14 **WHEREAS**, Section 283.16 Wis. Stats. provides a statewide variance method for waste
15 water treatment plants to comply with phosphorus permit limits by providing funds to
16 County Conservation Departments within the same watershed to reduce phosphorus; and
17
18 **WHEREAS**, Funds from this program must be used by the County to bring farmers and other
19 agricultural sources into compliance with NR 151 agricultural performance standards; and
20
21 **WHEREAS**, Door County falls within the same hydraulic unit code (HUC) as the Village of
22 Casco Wastewater Treatment Plant which makes Door County eligible for these funds; and
23
24 **WHEREAS**, Door County Soil & Water Conservation Department has applied for and has
25 been awarded \$4,505.32 from the Village of Casco; and
26
27 **WHEREAS**, The Land Conservation Committee (LCC) has voted to accept the aforesaid
28 grant.
29
30 **NOW THEREFORE, BE IT RESOLVED**, That the Door County Board of Supervisors does
31 hereby accept the Multi-Discharger Phosphorus Variance Funds from the Village of Casco in the
32 amount of \$4,505.32 for the above stated purpose.
33
34 **BE IT FURTHER RESOLVED**, That the aforesaid grant shall be administered by the Soil &
35 Water Conservation Department subject to oversight by the Land Conservation Committee.

**SUBMITTED BY:
LAND CONSERVATION COMMITTEE**

Ken Fisher, Chair

Vinni Chomeau

John Neinas

Richard Virlee

Dan Austad

Randy Halstead

Mike Vandenhouten

**March 2020
SWRM COST-SHARE AGREEMENT**

Requires LCC Approval – Land Out of Production

Name	Acres	LWRM Grant
Weckler, Randy	1.7 Ac.	7,078.83

Nutrient Management – Previously Approved by Ken Fisher

Name	Acres	Estimated Cost	LWRM Grant

Nutrient Management – Requires LCC Approval

Name	Acres	Estimated Cost	LWRM Grant

Best Management Practices – Requires LCC Approval

Name	Estimated Cost	LWRM Grant



County of Door SOIL & WATER CONSERVATION DEPT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Phone: (920) 746-2214
Fax: (920) 746-2369
swcd@co.door.wi.us

Project: CREP Equivalent Buffer
Landowner: Randy and Bobbie Weckler

This project is located in the Township of Nasewaupsee on the corner of County Road C and County Road M. The planned CREP (Conservation Reserve Enhancement Program) Equivalent Buffer is 1.7 acres, and will be installed as a perpetual agreement. The total cost of this project will be \$7,108.83.

The reason for this project is to provide perpetual groundwater protection around the known sinkholes and exposed bedrock in this actively cropped area. This is an area where surface waters rapidly enter directly into the groundwater with no buffering or filtering. This project will provide perpetual vegetative cover to provide ground stabilization and allow for excess nutrient uptake before entering into the conduits to groundwater.



SPRING 2020 DOOR COUNTY

PRIVATE WELL MONITORING PROGRAM

ABOUT THE PROGRAM

The University of WI Oshkosh Environmental Research and Innovation Center is conducting a groundwater study in Door County, WI. The goal of this study is to provide education about the importance of testing your well water as well as build a database of groundwater quality data in Door County.

TESTING PARAMETERS IN STUDY

-  Total coliforms/*e. coli* (quantification)
-  Nitrate (Nitrate + nitrite as N)

Well owner cost is \$30

**Optional arsenic, pH, alkalinity, hardness and iron tests available at an additional cost of \$25*

HOW IT WORKS

- RSVP to a forum of your choice and fill out a form with your well information
- Attend the forum, receive sampling kit and collection instructions
- Return your kit the same week (Friday/Saturday) at designated drop-off locations
- Receive your results & countywide summary of study

RSVP by March 31st, 2020

RSVP online at <https://uwosh.edu/eric/> OR Fill out a paper form at the Door County Health

**Prepayment using a credit card is accepted when you RSVP online, otherwise be prepared to pay with cash or check onsite at the forums*

Forum dates & locations

- April 14th, 6pm at Sturgeon Bay ADRC (916 N 14th Ave, Sturgeon Bay, WI 54235)
- April 15th, 6pm at Door County Community Auditorium (3926 WI-42, Fish Creek, WI 54212)
- April 17th, 6pm at Washington Island Rec Center (1877 Lake View Road, Washington, WI 54246)



Environmental Research & Innovation Center

800 Algoma Blvd.,

Oshkosh WI 54901-8648

PHONE (920) 424-3148

E-MAIL eric@uwosh.edu

WEB eric.uwosh.edu

Door County Private Well Monitoring Program: 2020 Outline

The goal of the Door County Private Well Monitoring Program is to provide education to county residents and visitors about well water quality monitoring while simultaneously building a database of groundwater quality data that can be used by county officials to monitor and maintain safe and healthy drinking water in Door County. It is anticipated that grants, resident interest and/or modest county funds can be obtained to make this program sustainable for the long-term.

In the fall of 2019, over 150 well owners in Door County participated in the pilot program. Results from the pilot program showed 15% of wells with coliform bacteria present (0% *e. coli*), 2% with nitrate levels over 10 mg/L, and 0% with arsenic levels over 10 µg/L.

UW Oshkosh will be conducting a spatially distributed groundwater study throughout Door County. This will be done by sampling at least one well per PLSS section (1 square mile area) of the county, totaling 619 sections. UW Oshkosh will randomly select well(s) in each section in Door County and invite residents to participate in the study. Any Door County resident that owns a well may participate in the study even if their well was not selected. **Previous participants will be invited for the spring 2020 sampling by emailing a registration link and/or sending a mail invitation.** For those unable to participate in the spring sampling, summer samples will be collected opportunistically from walk-ins to Crossroads lab to allow for flexibility. In addition, a fall 2020 sampling event will be scheduled to repeat the spring sampling.

The study will cover the quantification of total coliforms/*e. coli* and nitrate + nitrite as N. In addition, participants will have the option to add arsenic and cumulative tests for an additional cost. UW Oshkosh will serve as the data custodian for all private well information and well data. Results will be released to study participants, a county-wide database with results will be built (including detailed maps showing results without personally identifiable information), and results will be shared with the WI Well Water Quality Interactive Viewer (Managed by UWSP).

Objectives

1. Educate Door County residents of the importance of testing their well water
2. Collect spatially distributed groundwater data throughout the county
3. Solicit volunteers for a long-term monitoring program

Activities

1. Advertise a spring 2020 sampling event and public forum via social media, radio, local press and at local community events and/or meetings
2. Randomly select well(s) in each remaining section by sending letters and invite former participants to take part in the study

3. Hold a public forum(s) with three primary objectives:
 - a. Discuss the groundwater study and importance of testing well water quality
 - b. Teach study participants how to collect water samples and when/where to drop off samples
 - c. Hand out water sampling kits to study participants
4. The same week as the public forum, hold 2-3 water sample drop-off locations on Friday evening and Saturday morning
 - a. Special arrangements will be made for Washington Island. A staff member will instruct participants how to collect samples and take samples back to Sturgeon Bay.
5. Run samples at UW Oshkosh lab and notify participants immediately of any unsafe results
6. Release results to study participants, build a county-wide database with results, and share results with the WI Well Water Quality Interactive Viewer (Managed by UWSP)
7. Hold a public forum after study completion to educate public of study results and next steps
8. Generate a final report with a summary of 2019 and 2020 results. This will include maps, graphs, and a preliminary data review to determine "hot spots"

Future Activities

1. Continue to recruit volunteers for long-term monitoring that fit study design requirements
2. Apply for continued funding for the long-term sustainability of the program
3. Conduct repeat sampling events (summer and fall 2020) to characterize long term trends in groundwater quality, accounting for the variability caused by underlying geology

Budget

Item	Cost per item	Spring 2020 Sampling		Fall 2020 Sampling		GRAND TOTAL
		Quantity	Total Cost	Quantity	Total Cost	
Laboratory Testing (total coliforms/ <i>e. coli</i> & nitrate + nitrite as N)	\$45	619 wells	\$27,855	619 wells	\$27,855	\$55,710
Homeowner cost coverage of laboratory testing	-\$30	619 wells	-\$18,570	619 wells	-\$18,570	\$37,140
UW Oshkosh time	\$20	75 hours	\$1,500	60 hours	\$1,200	\$2,700
UW Oshkosh travel	\$0.58	~400 miles	\$232	~400 miles	\$232	\$464
UW Oshkosh hotel	\$100	2	\$200	2	\$200	\$400
Mailings	\$0.80	1,000	\$800	1,000	\$800	\$1,600
Totals			\$12,017	-	\$11,717	\$23,734

Timeline

Early March – send letters to randomly selected wells
 April 13/14th – hold public forums
 April 18/19th – water sample drop-off
 Early May – release results to participants
 Fall 2020 – coordinate a repeat sampling event
 Fall 2020 – hold public forum with results



Training

LCC Training

Land Conservation Committee (LCC) members are invited to attend a training to learn more about the roles and responsibilities of the land conservation committee. The trainings will cover the importance of LCCs and staff working together locally and on statewide issues, provide an overview of WI Land+Water's programs and services, and share information from state conservation programs and partners. Presenters include WI Land+Water Executive Director Matt Krueger or a designee and representatives from DATCP and DNR staff.

New and returning supervisors will benefit from attending one of these LCC events. County land conservation staff are also welcome to participate. These trainings will be offered around the state in conjunction with the Wisconsin Counties Association's (WCA's) district meetings. WCA uses the district meetings to elect members of the Wisconsin Counties Association, Wisconsin County Mutual Insurance Corporation, and the National Association of Counties boards of directors. In addition to the elections, the meeting will include brief updates from the executive director, director of government affairs, and the director of programs and services.

Following are the LCC training and WCA district meeting dates, locations, and registration information:

- Northwest - **Ashland, Bayfield, Burnett, Douglas, Iron, Polk, Price, Rusk, Sawyer, Taylor, and Washburn counties** (Wednesday 4/29) Flat Creek Inn & Suites, 10290 Highway 27 South, Hayward: WCA 12:00-2:00 p.m., LCC 2:30-4:30 p.m. *LCC Training registration appreciated by 4/22 at <https://conta.cc/2VyMkjT>*
- West Central - **Barron, Chippewa, Clark, Dunn, Eau Claire, Pepin, Pierce, and St. Croix counties** (Thursday 4/30) Holiday Inn Eau Claire South, 4751 Owen Ayres Court, Eau Claire: WCA 9:00-11:00 a.m., LCC 11:30 a.m.- 2:00 p.m.-includes lunch. *LCC Training registration appreciated by 4/22 at <https://conta.cc/2TfGYIZ>*
- Western - **Adams, Buffalo, Jackson, Juneau, La Crosse, Marquette, Monroe, Trempealeau, and Vernon counties** (Thursday 4/30) Three Bears Resort, 701 Yogi Circle, Warrens: LCC 2:00-4:00 p.m., WCA 5:00- 7:00 p.m. *LCC Training registration appreciated by 4/22 at <https://conta.cc/2wY6Sbj>*
- Southern - **Columbia, Crawford, Dane, Dodge, Grant, Green, Green Lake, Iowa, Jefferson, Lafayette, Richland, Rock, and Sauk counties** (Friday 5/1) Holiday Inn at The American Center, 5109 West Terrace Drive, Madison: WCA 9:00-11:00 a.m., LCC 11:30 a.m.-2:00 p.m.-includes lunch. *LCC Training registration appreciated by 4/22 at <https://conta.cc/39dKU2f>*

- North Central - **Florence, Forest, Langlade, Lincoln, Marathon, Marinette, Menominee, Oconto, Oneida, Portage, Shawano, Vilas, Waupaca, Waushara, and Wood counties** (Thursday 5/7) Fairfield Inn by Marriott, 7100 Stone Ridge Drive, Weston: WCA 12:00-2:00 p.m., LCC 2:30-4:30 p.m. *LCC Training registration appreciated by 5/1 at <https://conta.cc/2PzxBkP>*
- East Central - **Brown, Calumet, Door, Fond du Lac, Kewaunee, Manitowoc, Outagamie, Sheboygan, and Winnebago counties** (Thursday 5/7) Red Lion Paper Valley, 333 West College Avenue, Appleton: LCC 2:00-4:00 p.m., WCA 5:00-7:00 p.m. *LCC Training registration appreciated by 5/1 at <https://conta.cc/2wgQIJO>*
- Southeast - **Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha counties** (Friday 5/8) Timber Ridge Lodge at Grand Geneva, 7020 Grand Geneva Way, Lake Geneva: WCA 9:00-11:00 a.m., LCC 11:30 a.m.-2:00 p.m.-includes lunch. *LCC Training registration appreciated by 4/22 at <https://conta.cc/32MF3ic>*

Please feel free to attend both the LCC training and the district meeting in your area. Supervisors are highly encouraged to attend! You are welcome to attend any LCC training that is convenient for you. For information about the LCC trainings, please contact Conservation Training and Membership Services Manager Penny Pohle at penny@wisconsinlandwater.org or (608) 441-2677 x6. For more information about the WCA district meetings, please contact Deputy Director of Government Affairs Sarah Diedrick-Kasdorf at diedrick@wicounties.org or (608) 663-7188. Meals will be provided at the WCA district meetings.

Visit our [Publications](#) page for useful information. Please contact our office if you have any questions

[For more information about your Area Association, click here.](#)

**Door County
Request for Year End Carry Overs
2019**

Department Name: Soil & Water Conservation Department

The following carry over accounts were approved by the Land Conservation Committee at their meeting on

Account Name	Account Number: Fund	Dept #	Sub-Dept Cost Center	Account #	Detail	Amount
Professional Services	100	31	6107	52101		\$10,386.00

Total Carry Over Amount

\$10,386.00

Reason for Carry Over:

Multi-year well testing project.

Preparer's Signature:

Dept Head's Signature:

Date:

**Funds Verified by
Finance Director:**

Date Verified:

DOOR COUNTY VEHICLE REPLACEMENT 2020
SOIL AND WATER CONSERVATION DEPARTMENT

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Year	Make	Model	Type	5/15/2019 2019 Mileage	Replacement Policy	Replace In Year	Est. Current Replacement Cost	Expected Trade-In Value	Funding Source	Comments
2010	Ford	Escape	SUV	80,884	based on mileage, condition, and repair record		0	0	Tax Levy	See below to be purchased in 2020
2013	Chevrolet	Silverado	Pickup	58,803	based on mileage, condition, and repair record	2021	35,000	7,000	Tax Levy	
2016	Chevrolet	Silverado	Pickup	21,617	based on mileage, condition, and repair record	2023	35,000	7,000	Tax Levy	
2018	Ford	Explorer	SUV	10,307	based on mileage, condition, and repair record	2025	30,000	12,000	Tax Levy	
2020		Midsize	Pickup		based on mileage, condition, and repair record	2027	30,000	12,000	Tax Levy	

The 2010 Ford Escape replacement was deferred to 2020. 2010 Ford Escape kept for seasonal LTE use.

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Department 31 - Soil, Water, Conservation									
Vendor 11518 - BREY CYCLE FARM AND INVESTORS COMMUNITY BANK									
Sub-Department 31 Soil, Water, Conservation									
20200211	NOD C/S Payment	Paid by Check #672302		02/26/2020	02/26/2020	03/02/2020		03/02/2020	148,937.74
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 11518 - BREY CYCLE FARM AND INVESTORS COMMUNITY BANK Totals				Invoices	1		<u>\$148,937.74</u>
Vendor 21385 - BREY CYCLE FARM LLC AND									
Sub-Department 31 Soil, Water, Conservation									
20200211	Recording Fee - NOD C/S Payment	Paid by Check #672303		02/26/2020	02/26/2020	03/02/2020		03/02/2020	30.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 21385 - BREY CYCLE FARM LLC AND Totals				Invoices	1		<u>\$30.00</u>
Vendor 11912 - BRICKNER-MEIKLE FAMILY FARMS, LLC AND									
Sub-Department 31 Soil, Water, Conservation									
20200227	SWRM/NOD C/S Payments	Paid by Check #672437		03/02/2020	03/02/2020	03/02/2020		03/03/2020	60,416.99
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 11912 - BRICKNER-MEIKLE FAMILY FARMS, LLC AND Totals				Invoices	1		<u>\$60,416.99</u>
Vendor 11913 - BRICKNER-MEIKLE FAMILY FARMS, LLC AND									
Sub-Department 31 Soil, Water, Conservation									
20200227	Recording Fee	Paid by Check #672438		03/02/2020	03/02/2020	03/02/2020		03/03/2020	60.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 11913 - BRICKNER-MEIKLE FAMILY FARMS, LLC AND Totals				Invoices	1		<u>\$60.00</u>
Vendor 8808 - BROWN COUNTY TREASURER									
Sub-Department 31 Soil, Water, Conservation									
20200106	Annual CAFO update registration EH & KS	Paid by Check #671050		01/06/2020	01/06/2020	01/06/2020		01/09/2020	90.00
20200116	2020 CAFO Update Registration - TD	Paid by Check #671402		01/16/2020	01/16/2020	01/16/2020		01/30/2020	45.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	2		0
		Vendor 8808 - BROWN COUNTY TREASURER Totals				Invoices	2		<u>\$135.00</u>
Vendor 4818 - CELLCOM WISCONSIN RSA 10									
Sub-Department 31 Soil, Water, Conservation									
858609	Jan/Feb Cellular Charges	Paid by Check #672304		02/26/2020	02/26/2020	03/02/2020		03/02/2020	54.41
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 4818 - CELLCOM WISCONSIN RSA 10 Totals				Invoices	1		<u>\$54.41</u>
Vendor 21939 - GARY NAULT									

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 90014 - HABERLI DEER PROCESSING									
20200115	Sub-Department 31 Soil, Water, Conservation WLCWA Silent Auction Donation	Paid by Check #672305		02/26/2020	02/26/2020	03/02/2020		03/02/2020	50.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 21939 - GARY NAULT Totals				Invoices	1		\$50.00
Vendor 90014 - HABERLI DEER PROCESSING									
20200124	Sub-Department 31 Soil, Water, Conservation 2019 Venison Processing	Paid by Check #671539		01/27/2020	01/27/2020	02/03/2020		02/04/2020	1,430.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 90014 - HABERLI DEER PROCESSING Totals				Invoices	1		\$1,430.00
Vendor 10236 - KEITH GRIESBACH									
20200226	Sub-Department 31 Soil, Water, Conservation Overpayment of 2020 NMM Annual Fee	Paid by Check #672306		02/26/2020	02/26/2020	03/02/2020		03/02/2020	86.35
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 10236 - KEITH GRIESBACH Totals				Invoices	1		\$86.35
Vendor 1604 - LAKE MICHIGAN AREA LAND									
20190101	Sub-Department 31 Soil, Water, Conservation 2020 Association Dues	Paid by Check #671051		01/06/2020	01/06/2020	01/06/2020		01/09/2020	150.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 1604 - LAKE MICHIGAN AREA LAND Totals				Invoices	1		\$150.00
Vendor 22505 - NAISMA									
1021	Sub-Department 31 Soil, Water, Conservation NAISMA Membership	Paid by Check #672307		02/26/2020	02/26/2020	03/02/2020		03/02/2020	150.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 22505 - NAISMA Totals				Invoices	1		\$150.00
Vendor 15069 - STAPLES ADVANTAGE									
3437019453	Sub-Department 31 Soil, Water, Conservation Office Supplies	Paid by Check #672308		02/26/2020	02/26/2020	03/02/2020		03/02/2020	52.07
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 15069 - STAPLES ADVANTAGE Totals				Invoices	1		\$52.07
Vendor 32770 - TOWN OF BAILEYS HARBOR									
20200130	Sub-Department 31 Soil, Water, Conservation Invasive Species Cost-share Payment	Paid by Check #671540		01/27/2020	01/27/2020	02/03/2020		02/04/2020	1,000.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 32770 - TOWN OF BAILEYS HARBOR Totals				Invoices	1		\$1,000.00

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 6292 - UNIVERSITY OF WI-STEVENS POINT									
Sub-Department 31 Soil, Water, Conservation									
ABPDoorCounty202	Macroinvertebrate Samples	Paid by Check #671541		01/27/2020	01/27/2020	02/03/2020		02/04/2020	1,065.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 6292 - UNIVERSITY OF WI-STEVENS POINT Totals				Invoices	1		\$1,065.00
Vendor 7458 - WI DATCP									
Sub-Department 31 Soil, Water, Conservation									
20200212	2020 Cons Partner Mtg - E Hanson	Paid by Check #672309		02/26/2020	02/26/2020	03/02/2020		03/02/2020	15.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 7458 - WI DATCP Totals				Invoices	1		\$15.00
Vendor 15183 - WI DEPT OF NATURAL RESOURCES									
Sub-Department 31 Soil, Water, Conservation									
20200217	2020 DNR Nonmetallic Mine Fee	Paid by Check #672310		02/26/2020	02/26/2020	03/02/2020		03/02/2020	5,270.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	1		0
		Vendor 15183 - WI DEPT OF NATURAL RESOURCES Totals				Invoices	1		\$5,270.00
Vendor 15202 - WI DOCUMENT IMAGING									
Sub-Department 31 Soil, Water, Conservation									
93476	Leased Copier Charges - January	Paid by Check #671542		01/27/2020	01/27/2020	02/03/2020		02/04/2020	281.24
95342	February Old Leased Copier Charges	Paid by Check #672311		02/26/2020	02/26/2020	03/02/2020		03/02/2020	87.69
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	2		0
		Vendor 15202 - WI DOCUMENT IMAGING Totals				Invoices	2		\$368.93
Vendor 7134 - WI LAND + WATER CONSVTN ASSOC									
Sub-Department 31 Soil, Water, Conservation									
1515	2020 WI Land + Water Dues	Paid by Check #671052		01/06/2020	01/06/2020	01/06/2020		01/09/2020	2,094.00
6138	2020 WLWCA Annual Conference Registration	Paid by Check #672312		02/26/2020	02/26/2020	03/02/2020		03/02/2020	2,945.00
		Sub-Department 31 Soil, Water, Conservation Totals				Invoices	2		0
		Vendor 7134 - WI LAND + WATER CONSVTN ASSOC Totals				Invoices	2		\$5,039.00
		Department 31 - Soil, Water, Conservation Totals				Invoices	21		\$224,310.49
31 Soil, Water, Conservation									
				Grand Totals		Invoices	21		\$224,310.49