



AGENDA
Land Conservation Committee
Wednesday May 20, 2020 at 3:30 PM
HHS Building, Community Room
303 W. Chapel St.
Dodgeville, WI 53533

**Iowa
County
Wisconsin**

Public remote attendance option:
<https://us02web.zoom.us/j/89887901631>
 Conference call #: 1-312-626-6799
 Meeting ID: 898 8790 1631

For information regarding access for the disabled please call 935-0399.

Any subject on this agenda may become an action item.

1	Call to Order
2	Roll Call
3	Election of Chair
4	Election of Vice Chair
5	Election of Secretary
3	Approve the agenda for this May 20, 2020 meeting
4	Approve the minutes of the February 19, 2020 meeting
5	Report from committee members and an opportunity for members of the audience to address the Committee. No action will be taken.
6	Terry Wolfe, TESUM Inc, FPP Notice of Non-compliance appeal
7	NRCS update
8	Blackhawk Lake Commission update
9	Response from DNR re: Blackhawk Lake dams
10	Targeted Runoff Management grant authorizing resolution
11	Land Conservation Department updates: a) Land and Water Resource Management Plan Update meeting: June 2 b) Groundwater study updates c) Land + Water handbooks and webinars
12	Agenda items for future meetings: Choose Farmers Appreciation Day award winners, FPP Policy Revision proposal, Yost CREP management plan approval, Regional invasive species coordination
13	Motion to set the next meeting date and adjourn:

Posting Verified by: your name or title Date: _____ Initials: _____

	UNAPPROVED MINUTES LAND CONSERVATION COMMITTEE MEETING Wednesday February 19, 2020 at 1:00 PM USDA Conference Room 1124 Professional Drive Dodgeville, WI 53533	Iowa County Wisconsin
Meeting was called to order by Chair David Gollon at		
Roll Call. Members present: Ron Benish, Bob Bunker, Roger Dax, Dave Gollon, Don Leix, and Dan Nankee. Members excused: Rod Anding Members absent: Kevin Butteris Others present: Katie Abbott, Landon Baumgartner, Dave Terrall, Joe Bonnell		
Approve the agenda for this February 19, 2020 meeting and Approve the minutes of the January 22, 2020 meeting: Mr. Bunker made a motion to approve the February 19, 2020 agenda and the January 22, 2020 minutes. Sup. Leix seconded the motion. Motion carried.		
Report from committee members and an opportunity for members of the audience to address the committee. No action will be taken. Sup. Nankee shared news and updates about: farm closures, the Market Facilitation Program payments, water quality legislation passed by the Assembly, a proposed farm siting bill, and dam repair grants. Mr. Dax reported that CRP participants can get a mid-contract management exemption for rusty patched bumblebee habitat. Mr. Bunker shared that Sen. Marklein was in Rewey recently for a listening session.		
Introduction of Joe Bonnell, new Extension water quality educator: Mr. Bonnell introduced himself and provided some background. Discussion re: collaboration with Extension and LCD.		
Wildlife damage program: claims approval and harvest waiver approval: Mr. Terrall presented the Committee with the 2019 Wildlife Damage Program claims summary. Three out of four claims met the harvest requirements, but Alan Kolb missed it by only one deer and later shot two more. Mr. Terrall said he and DNR Wildlife Biologist Travis Anderson recommend a harvest waiver. Sup. Benish made a motion to approve the harvest waiver for Alan Kolb and approve all four claims. Sup. Nankee seconded. Motion carried.		
NRCS update: no update provided		
Blackhawk Lake Commission update: Sup. Leix provided an update that at the last meeting the Commission did not discuss the dams at all. They are planning to purchase a new mower.		
Approval of LWRM plan 5-year review materials: Ms. Abbott presented the materials required for the WI Land and Water Board's 5-year review of the Iowa County Land and Water Resource Management Plan. Discussion of waterways and planning. Sup. Nankee made a motion to approve the LWRM 5-year review materials. Mr. Bunker seconded. Motion carried.		
FPP policy revision: Ms. Abbott and Mr. Baumgartner presented their proposed revisions to Policy 1202: Farmland Preservation Tax Credit Program Compliance. Revisions include creating a tiered system of violations and compliance schedules, plus a policy for multiple violations. The committee recommended adding a section that adjusts the compliance schedule for those that self-report/voluntarily ask for help fixing a violation. Staff will add that language and bring the second revision to the next meeting.		

Land Conservation Department updates:

- a) 2019 work plan issue & successes: Ms. Abbott provided a handout with some key challenges and success of 2019. Discussion of creating a policy for cost-share project deposits and using FSA rates for landowner project work.
- b) Groundwater study Farm Bureau comment: Ms. Abbott provided a comment given to the County Board from an Iowa County Farm Bureau member.
- c) Priority watersheds for MDV phosphorus projects: Ms. Abbott outlined the plan she is submitting to DNR for MDV phosphorus funding project areas and priorities.
- d) Land & Water resolutions: The committee discussed two resolutions slated for the Land + Water Association annual meeting. The committee expressed support for Resolution #1 but not #2.
- e) State legislative updates: Ms. Abbott provided an update on proposed State water quality legislation.

Agenda items for future meetings: CREP easement management plan approval, FPP policy revision

Motion to set the next meeting date and adjourn. The next meeting date was set for Thursday March 26, 2020 at 1:00pm. Sup. Benish made a motion to adjourn. Sup. Leix seconded the motion. Motion carried. Meeting adjourned at 2:43pm.



LAND CONSERVATION DEPARTMENT

USDA Service Center
1124 Professional Dr., Suite 500
Dodgeville, WI 53533

Tesum Inc/Terrance Wolfe Farmland Preservation Non-Compliance timeline:

1. July 2018: we sent a letter and a copy of his Farmland Preservation Program evaluation form, notifying him he was due for soil tests and a new Nutrient Management Plan for 2019. A deadline was set for 8/1/19.
2. December 2018: Postcard sent to advertise an NMP class in January. Terry's son attended a class in February of 2019, but never finished. We did not hear from him or his son afterward regarding coming in to finish.
3. March 2019: Soil test reminder letter sent
4. July 2019: Letter sent to check on progress and ask for any extension requests. Terry called to request an extension for the August 2019 LCC meeting.
5. August 2019: The LCC voted to allow Terry an extension until Dec 31, 2019. We sent a letter notifying him of the new deadline.
6. January 2020: The LCC voted to issue a Notice of Non-Compliance for 2019. We sent Terry a letter and copy of the Notice of Non-Compliance

IOWA COUNTY DAMS/BLACKHAWK LAKE REC AREA

Response from DNR regarding County questions

Q1: Should the dams in the park be removed or damaged and not replaced, assuming the campground no longer exists... Is Iowa County responsible for decommissioning the public lands and removing all the structures, roads, and utilities to return the land to its natural state?

A: No, from a dam safety perspective, Iowa County would not be responsible for any other changes to the area other than the dam structures. If the decision is made to remove the dam structures, DNR will work through the process of approving the removal with Iowa County. If the structures are damaged or breached, Iowa County would be responsible for restoring the dam sites to a safe condition. This could mean repair/reconstruction of the structures or it could mean completing the removal of portions of the structures that were either not fully breached or that were left in an unsafe condition. As the owner of the dam, Iowa County would be responsible for deciding whether the structures safely remain in place or are removed.

Q2: Can Iowa County “abandon in place” the dams and record notice that our easements are no longer needed? How would the DNR react?

A: No, Iowa County could not just walk away from the dam structures on Blackhawk Lake. A dam must have a responsible owner. The County, as a dam owner, would not be required to maintain and operate the dam in perpetuity. A dam owner would typically have three options: continue to own and maintain a dam, remove the dam, or transfer the dam to another responsible owner. In this instance, because the dam is currently owned by a municipality, it must be transferred to another municipality and cannot be transferred to a private owner. This is a requirement from Chapter 31 Wis Stats (31.21).

Q3: How many dams exist on State Land that the State does not own?

A: We looked at several data bases and none are very good for answering the question of how many dams on DNR land are owned by others. Our conclusion at this point is that there are very few, and given the amount of staff time that it would require to combine a few data bases and evaluate them, I think this is about as good as we can do on this specific question at this point.

Q4: Can we get an opinion from a DNR Engineer that evaluates and estimates how long these two dams will last and what warning signs we will see when failure is nearing?

A: The overarching goal of the Dam Safety program is to maintain safe dams and therefore avoid dam failures altogether. The hope is that through regular inspections, maintenance, repairs, etc. for the dam that anything pointing to any warning signs of issues would be handled right when the issue is discovered so that it will not progress and continue to worsen. Again, with regular inspections and maintenance, we would hope that if the embankment was constructed well that it will last for a very, very long time. Other portions of the dam, such as, outlet pipes, inlets, gates, anything concrete, etc. will have a life span and require repair or replacement eventually. These portions of the dam would also be part of the inspections that are done, so there would be indications well in advance of the end of their lifespan. My recommendation would be to work with NRCS, who completed the last inspection of the dam, to get an idea of a very rough estimate of when Iowa County could expect to need to do some significant repairs.

Q5: What would it cost Iowa County if we wanted to pay the DNR to walk away from these dams and our commitment to fiscally back the park?

A: As the County currently owns the dams, there is not the ability to walk away from them. We may not be understanding the question correctly.

Q6: Would a DNR Engineer be willing to look at these two dams and evaluate what it would take to go from the existing 100-year flood control to a 150- year flood control level? What would trigger this change and force said improvements?

A: The spillway capacity for the dam (both control structures combined) was roughly evaluated back in 1986. There are more up to date methods to determine peak flows that Iowa County may choose to have their consultant (NRCS) evaluate, but it appears that the dam has adequate spillway capacity when considering the use of the auxiliary spillway. When NRCS is looking more closely at flows, they may also be able to recommend methods or ideas for increasing the spillway capacity of the dam and the associated costs. Again, it appears that the Blackhawk Dam has adequate spillway capacity and it would take a revision of NR333 to potentially require an upgrade in the spillway capacity. Under the current law for existing dams, a reconstruction of the dam would really be the only thing that would trigger an evaluation of the spillway capacity. So, for example, let's say at some point in the future they want to replace their water control structure for one of the spillways. During the plan development portion of the project, if we thought the dam did not meet spillway capacity, they would need to evaluate their spillway capacity to ensure that it is still adequate. As I mentioned previously, they currently have adequate spillway capacity, but if updated rainfall data made it so their spillway capacity was insufficient, a reconstruction of the dam is really the only thing that would trigger an upgrade under current law.

Resolution No. 10-0320

**GOVERNMENTAL RESPONSIBILITY RESOLUTION
FOR PARTICIPATION IN THE TARGETED RUNOFF MANAGEMENT GRANT PROGRAM**

WHEREAS, Iowa County is interested in acquiring a Grant from the Wisconsin Department of Natural Resources for the purpose of implementing measures to control agricultural runoff pollution sources (as described in the application and pursuant to ss. 281.65 or 281.66, Wis. Stats., and chs. NR 151, 153 and 154); and

WHEREAS, a cost-sharing grant is required to carry out the project:

THEREFORE, BE IT RESOLVED, that Iowa County HEREBY AUTHORIZES the County Conservationist of the Iowa County Land Conservation Department to act on behalf of Iowa County to:

- Sign and submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Sign a grant agreement between the local government (applicant) and the Department of Natural Resources;
- Enter into cost-share agreements with landowner/operator to install best management practices;
- Make cost-share payment to landowner/operator after payment is requested, evidence of contractor payment by landowner/operator has been received, and grantee has verified proper BMP installation;
- Sign and submit reimbursement claims along with necessary supporting documentation;
- Sign and submit interim and final reports and other documentation as required by the grant agreement;
- Sign and submit an Environmental Hazards Assessment Form, if required; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Iowa County shall comply with all state and federal laws, regulations and permit requirements pertaining to implementation of this project and to fulfillment of the grant document provisions.

Adopted this 11th day of March, 2020.

I hereby certify that the foregoing resolution was duly adopted by the County Board at a legal meeting on 11th day of March, 2020

Authorized Signature: John Meyers
John Meyers, Iowa County Chairman

Attest:

Greg Klusendorf
Greg Klusendorf
Iowa County Clerk

SWIGG November 4-7, 2019 MST sampling

n = 34 wells randomly selected from those previously positive for total coliform or nitrate > 1

Wells (n = 34) positive for microorganisms. Only microorganisms that were detected are listed.

Microorganism	Positive wells
<i>Bacteroidales</i> -like Hum M2	2
<i>Cryptosporidium</i> spp.	13
<i>Cryptosporidium hominis</i>	4
<i>Cryptosporidium parvum</i>	2
Human <i>Bacteroides</i> HF183	9
Pepper mild mottle virus	2
Pig-1- <i>Bacteroidales</i>	1
Pig-2- <i>Bacteroidales</i>	2
Ruminant <i>Bacteroides</i>	7
Rotavirus group A (<i>NSP3</i> gene)	3
Rotavirus group A (<i>VP1</i> gene)	2
<i>Salmonella</i> (<i>invA</i> gene)	2
Human fecal microbe	12
Ruminant/bovine fecal microbe	7
Porcine fecal microbe	3
Pathogen	16
Any fecal microbe	27

The positive totals for the pathogen group and fecal groups can be less than the sum of individual microorganisms because some wells were positive for more than one microorganism.

.0 ppm



Wisconsin Land+Water Conservation Association

131 W. Wilson St. Suite #601 · Madison, Wisconsin 53703
(608) 441-2677 · Fax: (608) 441-2676 · www.wisconsinlandwater.org

Greetings,

We are pleased to let you know that we are offering prerecorded webinars for you to use to onboard your new committee members and provide relevant information to committee members that have served in the past. All of these webinars are less than ten minutes in length and can be watched during your committee meetings. The webinars can be viewed again anytime online. Conservation staff will also find these webinars beneficial to watch.

Starting in June we will begin rolling out the following webinars:

- Roles of LCDs vs. LCCs/Chapter 92 (presented by WI Land+Water)
- Advice for New LCCs, from Seasoned LCCs (presented by WI Land+Water)
- Advice for New LCCs, from Seasoned County Conservationists (presented by WI Land+Water)
- Land and Water Conservation Board (LWCB) Basics (presented by LWCB Chair Mark Cupp)
- Introduction to DNR Nonpoint Funding Assistance (presented by DNR)
- How Did We Get Here? History of Wisconsin's Nonpoint Program (presented by DNR)
- Conservation Reserve Enhancement Program (CREP) (presented by DATCP)

As these new webinars become available, they will be posted on the WI Land+Water media website and will be announced to our membership. No need to wait to start sharing these training opportunities!

The following webinars are already available on WI Land+Water website at

<http://wislandwatermedia.org/webinars/>:

- How to Get Involved (presented by Matt Krueger, WI Land+Water)
- Introduction to DATCP's Nutrient Management Program (presented by Ryan Erisman, DATCP)
- Land and Water Resource Management (LWRM) Plans (presented by Lisa Trumble, DATCP)
- Soil and Water Resource Management (SWRM) Grants (presented by Susan Mockert, DATCP)
- Who is WI Land+Water? (presented by Matt Krueger, WI Land+Water)
- Wisconsin TMDLs (presented by Keith Marquardt, DNR)

Enclosed are enough 2020 LCC Handbooks for your committee members and two for your department.

A copy is also posted on our website at <https://wisconsinlandwater.org/training/lcc-training>. Check it out to read about the history of land and water conservation in Wisconsin, roles and responsibilities, assistance and funding, and more.

Your assistance in using these recordings and handbooks for your committee members will be greatly appreciated and beneficial to them as they serve on your committee.

For information about these webinars, please contact Conservation Training and Membership Services Manager Penny Pohle at penny@wisconsinlandwater.org or (608) 441-2677 x6.