



AGENDA

Land Conservation Committee

Wednesday June 17, 2020 at 1:30 PM

HHS Building, Community Room

303 W. Chapel St.

Dodgeville, WI 53533

Public remote attendance option:

<https://us02web.zoom.us/j/84214338845>

Conference call #: 1-312-626-6799

Meeting ID: 842 1433 8845

**Iowa
County
Wisconsin**

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	Approve the agenda for this June 17, 2020 meeting
4	Approve the minutes of the May 20, 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	NRCS update
7	Blackhawk Lake Commission update
8	Choose Iowa County Conservation Awards winners
9	FPP compliance extension requests
10	FPP policy revision proposal
11	Approve cost-share rates for cropping practices and nutrient management planning
12	Land Conservation Department updates: a) Cost-share projects and FPP b) Birch Lake dam valve repair c) MDV funding d) Bloomfield prairie
13	Agenda items for future meetings: CREP management plan approvals, regional invasive species coordination, 2021 budget proposal (August), Land + Water video
14	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 May 20, 2020 at 3:30 PM HHS Building, Community Room 303 W. Chapel St. Dodgeville, WI 53533 Public remote attendance option: https://us02web.zoom.us/j/89887901631 Conference call #: 1-312-626-6799 Meeting ID: 898 8790 1631	Iowa County Wisconsin
Meeting was called to order by Katie Abbott at 3:32pm.		
Roll Call. Members present: Rod Anding, Ron Benish, Bob Bunker, Kevin Butteris, Roger Dax, Dave Gollon, Don Leix, and Dan Nankee. Others present: Katie Abbott, Terry Wolfe (via Zoom)		
Election of Chair: Sup. Benish nominated Sup. Gollon, seconded by Sup. Leix. No other nominations were put forward. Sup. Benish moved to close nominations and cast a unanimous ballot. Seconded by Mr. Bunker. Sup. Gollon abstained from voting; motion carried.		
Election of Vice Chair: Sup. Butteris nominated Sup. Leix. No other nominations were put forward. Mr. Bunker moved to close nominations and cast a unanimous ballot. Seconded by Sup. Nankee. Motion carried.		
Election of Secretary: Sup. Benish nominated Sup. Nankee, seconded by Sup. Butteris. No other nominations were put forward. Sup. Benish moved to close nominations and cast a unanimous ballot. Seconded by Sup. Leix. Motion carried.		
Approve the agenda for this May 20, 2020 meeting: Sup. Benish made a motion to approve the May 20, 2020 agenda. Sup. Butteris seconded the motion. Motion carried.		
Approve the minutes of the February 19, 2020 meeting: Sup. Leix made a motion to approve the February 19, 2020 minutes. Mr. Bunker 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 two articles from the Dodgeville Chronicle about the history of Blackhawk Lake and the Gollon Bait Farm. Sup. Nankee also mentioned Rep. Novak's meeting with local farmers. The Committee observed a moment of silence for Greg Parman.		
Terry Wolfe, TESUM Inc, FPP Notice of Non-compliance appeal: Mr. Wolfe explained his reasons for requesting the appeal and why his NMP was not submitted on time, including an issue with soil tests being sent to the wrong person. The Committee asked questions about the soil tests and ability to complete the Nutrient Management Plan, and emphasized the need for timely response in the future. Sup. Benish moved to cancel the Notice of Non-compliance if the completed NMP is received within 10 working days. Sup. Nankee seconded the motion. Motion carried.		
NRCS update: Ms. Abbott read the update from NRCS: all but 2 employees at a time are teleworking and customers are not allowed in the building. There is drop box outside the building. Site visits have continued. 117 CRP offers were accepted, and 30 out of 80 EQIP applications were funded. Additional EQIP funding is expected. Discussion re: dollar amounts, rates, and FSA funding for farmers.		

Blackhawk Lake Commission update: Sup. Leix provided an update that the Commission met twice since February. They've opened the docks for boaters and will open the campground except the group camps. The office, beach, and showers are closed to the public and they are handing out a code of conduct. Discussion re: road closure and public notice of Commission meetings.

Response from DNR re: Blackhawk Lake dams: The Committee went over the question responses and wanted more information on several of the questions. The Committee would like Corp Counsel to review these issues. Discussion re: dam inspections, dam valve, County liability, dam issues in other areas, flooding and spillway overflow, and how many other dams are on DNR land but not owned by DNR.

Targeted Runoff Management grant authorizing resolution: Ms. Abbott gave a brief summary of the funds requested and activities. Discussion of timing of grant that required approval to go to Public Works before Land Conservation. Mr. Bunker moved to approve the resolution. Sup. Benish seconded. Motion carried.

Land Conservation Department updates:

- a) Land and Water Resource Management Plan Update meeting: Ms. Abbott discussed Iowa County's presentation for the 5-year review of the LWRM Plan at the June 2 Land and Water Conservation Board meeting that will be held via Skype, and provided materials for any Committee members who wanted to attend.
- b) Groundwater study updates: Ms. Abbott provided an update on the latest well testing results. Discussion of well construction issues, contamination caused by old wells, and sinkholes.
- c) Land + Water handbooks and webinars: Ms. Abbott asked if the Committee would like to view the short Land + Water videos at future LCC meetings. The Committee was supportive. Discussion of TMDLs, point vs non-point pollution, and payments to farmers to reduce nutrients.

Agenda items for future meetings: Choose Farmers Appreciation Day award winners, FPP Policy Revision proposal, Yost CREP management plan approval, Geiger CREP approval, and Regional invasive species coordination. Discussion re: adding a probationary period to the FPP policy.

Motion to set the next meeting date and adjourn. The next meeting date was set for Wednesday June 17, 2020 with an alternate date of June 24th if the Community Room is not available. Sup. Benish made a motion to adjourn. Sup. Bunker seconded the motion. Motion carried. Meeting adjourned at 5:04pm.



FARMLAND PRESERVATION TAX CREDIT PROGRAM COMPLIANCE

Date Originated:

Date of Modifications: June 10, 2020

Policy Number: 1202

1. PURPOSE:

To describe the process for issuing Notices of Noncompliance Wisconsin's Farmland Preservation Tax Credit Program (FPP).

2. ORGANIZATIONS AFFECTED:

Land Conservation Department

3. POLICY:

Compliance determination shall follow guidelines set forth in Wisconsin Administrative Code ATP 50.

The Land Conservation Department (LCD) staff shall require an annual Compliance Self-Certification Form from each FPP participant. Participants who do not return their form by the deadline will be issued a Notice of Noncompliance.

Each farm shall also have an on-site compliance check by LCD staff no less than once every four years. A site visit will also be conducted if LCD staff receives a complaint or has other compliance concerns. Any compliance issues found during the site visit shall be resolved by the landowner within the compliance timeframe set forth below. If the compliance timeframe is not met, the Land Conservation Committee (LCC) will issue a Notice of Noncompliance.

Tier 1 violations: one year compliance schedule

- Soil Tests Overdue (Nutrient Management Plan Violation, NR 151.07)
- Idle Manure Storage Closure Needed (NR 151.05)
- Not following guidelines set forth in the most current University of Wisconsin Division of Extension publication A2809, "Nutrient application guidelines for field, vegetable, and fruit crops in Wisconsin." (Nutrient Management Plan Violation, NR 151.07)
- Not following nitrogen or manure application limitations in sensitive areas (Nutrient Management Plan Violation, NR 151.07)

Tier 2 violations: one year compliance schedule*

- Clean Water Diversions needed for feedlot, barnyard, or manure storage in a Water Quality Management Area (WQMA- 300ft from a stream, NR 151.06)

- 70% self-sustaining cover is not present on pasture streambanks (NR 151.08)
*fencing to exclude cattle or reduce average stocking density must be installed within 6 months
- Unprotected concentrated flow channel identified (Nutrient Management Plan Violation, NR 151.07)
- 5 ft tillage setback from streambanks not being followed (NR 151.03)

Tier 3 violations

- Overflowing manure pit (NR 151.08): one-month compliance schedule
- Cracked, leaking, or failing manure pit (NR 151.05): six-month compliance schedule
- Tillage results in rotational T exceedance (NR 151.02): one year compliance schedule
- Phosphorus Index violation, not using P-reduction strategy when needed (NR 151.04): one year compliance schedule
- Not following manure winter spreading restrictions, groundwater conduit/well setbacks, or SWQMA spreading strategies (Nutrient Management Plan Violation, NR 151.07): one-year compliance schedule
- Manure stacking occurring in a WQMA (NR 151.08): one-month compliance schedule
- Significant Discharge of Process Wastewater to waters of the state (NR 151.055): one-year compliance schedule
- Direct runoff of manure into waters of the state (NR 151.08): immediate action required to stop manure flow; three-month compliance schedule to prevent reoccurrence

The LCC may approve an extension of the compliance window, not to exceed three years, under extenuating circumstances. The LCC may also approve an immediate Notice of Noncompliance for grievous violations, lack of cooperation by the landowner, or other circumstances as warranted.

Multiple Violations: Subsequent violations found after the site visit may result in shorter compliance timeframes or immediate NONs according to the following guidelines:

If the first site visit found:

- Only Tier 1 violation(s): if 2 subsequent Tier 2 and/or 3 violations are found within one year of the site visit, a Notice of Noncompliance (NON) is issued immediately.
- Any Tier 2 or 3 violations(s): If a subsequent Tier 2 or 3 violation is found within one year of the first site visit, a NON is issued immediately.

Probationary Period: Once a participant has achieved compliance they will fall under a one-year probationary period. Within one year of achieving compliance from any Tier of violation:

- A subsequent Tier 3 violation will result in an immediate NON
- A subsequent Tier 2 violation will result in a written warning and a schedule of compliance set for one year. If not achieved, a NON is issued with no extension possibility.
- A subsequent Tier 1 violation will result in a 1 year schedule of compliance after which an extension request may be made for no more than 1 year. No further extensions may be requested

Voluntary reporting: If a participant voluntarily reports a subsequent compliance issue on their own property or operation that would have resulted in an immediate NON under the Multiple Violations or Probationary Period procedures above, the NON will not be issued immediately. Instead, the Participant will be allowed half of the time listed in the compliance timeframe to come into compliance. The LCC may approve an extension at their discretion.

4. REFERENCES:

Wisconsin Administrative Code Chapter ATCP 50

Wisconsin Administrative Code Chapter NR 151

5. PROCEDURES:

- a. The LCD shall mail Compliance Self-Certification Forms to all FPP participants in mid-October each year with a deadline of December 1 (or nearest week day).
- b. Participants who turn in their Form after the December 1 deadline will be assessed a late fee.
- c. The LCC will approve Notices of Noncompliance for participants who have not turned in their form by the December LCC meeting date.
- d. LCD staff will send Notices of Noncompliance to the Department of Revenue by December 31 each year.
- e. If at any time the LCD is made aware of an issue with a farm enrolled in FPP, staff shall visit the site as soon as possible to verify the issue, and will work with the landowner to address the problem within the compliance timeframe.

If the FPP participant is a member of the County Board or Land Conservation Committee, is a sibling, parent, spouse, or child thereof, or is considered county staff, at least one neutral party, who is not an Iowa County Employee, Supervisor, or Committee member, shall be asked to accompany Iowa County staff on site visits. The neutral party may be from the Natural Resources Conservation Service, a different County's Land Conservation Department, or other qualified party.



LAND CONSERVATION DEPARTMENT
303 W Chapel Street, Suite 2100
Dodgeville, WI 53533

Cost-share rates for cropland practices:

DATCP allows us to use a portion of our SEG funds (the pot of money we use to fund Nutrient Management Plans) for cropping practices to support nutrient management, soil erosion control, and soil health. In 2020 we can use 25% of our SEG funds; in 2021 we'll be able to use up to 50%.

DATCP allows the following maximum rates:

- Contour farming: \$9/ac/yr up to 4 years
- Cover and green manure crop \$25/ac/yr up to 4 years
- Residue management \$18.50/ac/yr up to 4 years
- Stripcropping \$13.50 /ac/yr up to 4 years
- Nutrient management \$10/ac/yr for 4 years. We currently pay \$7/ac/yr

We can't cost share cover crops and no-till on the same acres in the same year without DATCP permission. All practices must follow NRCS standards and have a Nutrient Management Plan.

Land Conservation staff would like to begin cost-sharing cropping practices in 2020 and proposes we use the maximum rates. Due to the farm economy we should also consider increasing our Nutrient Management Planning rate.