

## **TAYLOR COUNTY LAND CONSERVATION**

Minutes of November 16, 2010 Meeting

The monthly LCC meeting was called to order by Dave Krug at 9:35 a.m. The meeting was held in the UW Extension Meeting Room, County-USDA Service Center, Medford, Wisconsin. Members present were David Krug, Chairman, Scott Mildbrand, Tim Peterson, Donald Purvis (after 9:50 a.m.), and Ray Soper. Others present were Chuck Zenner, County Supervisor; Lanice Szomi, Pri-Ru-Ta RC&D Program Manager; Deb Esselman, FSA County Executive Director; Ed Zyzdik, USDA-APHIS; Marie Koerner, Taylor County Human Resources Director; Steve Oberle, County Conservationist; and Cathy Mauer, LCD Conservation Assistant.

**MOTION** by Peterson/Mildbrand to approve the agenda and the September 21<sup>st</sup> meeting minutes. **MOTION CARRIED.** September-November 2010 bills were circulated for review, and the September budget analysis was distributed.

### **OLD BUSINESS:**

**2010 Drinking Water Education/Testing Program update:** Oberle distributed handouts that included a test results summary, maps, and other groundwater information. He thought there were approximately 157 Homeowner's packages tests and 138 metals package tests. Oberle said there appeared to be more samples with higher levels of arsenic, and there was discussion about treatment for bacterial contamination. Results will be distributed to those testing at a series of informational meetings. Those not attending will be able to pick up their results in the office. As part of a response to a question about follow-up on the test results, Oberle said he was not aware if DNR has a groundwater/well water staff person in the Northern Region and that follow-up takes time.

**Discussion/possible action on Taylor County groundwater/hydrogeology study:** Oberle said he was not sure where the LCC wanted to go with the study, but that he had had a follow-up conversation with Madeline Gotkowitz and Mike Fienen, who had presented the pre-proposal for the study at the September LCC meeting. They said they could probably start before 2012 if there was a commitment by the county. The LCC packet had included a copy of the preproposal and Oberle's outline. In response to a question from Krug about coordination with the US Forest Service study, Oberle said that he thinks the cost mentioned in the proposal was for the rest of the county if the Forest Service did a study in the National Forest. Mildbrand asked about other funding, and Oberle said that Representative Williams was checking on that, especially from DNR, but that DNR funding was unlikely. Mildbrand indicated that he thought the study was a good idea, but that funding was an issue, as was enforcement (related to study results) without zoning. Zenner reiterated that view. Mildbrand noted that the earlier study [1974, discussed in previous meetings] had said there was not enough water in this area, but it had no effect and asked how the proposed study would be of use without zoning. He cited a 2009 survey of town officials showed no support for zoning. Soper asked how valid the results of the study would be with the limited number of borings that were proposed and questioned the credibility of computer modeling. He wondered if there were might be less expensive alternatives and what the percent of the total proposed study cost could be attributed to the computer model. Krug asked how dependable the previous study was and how outdated it might be. Oberle said the previous study was regional and only gave a sense of quantity. He said the proposed study would be useful to communities in terms of assessing growth potential. He mentioned that a UW dairy research center that had been proposed for the Marshfield area was not sited there due to not having enough water and that Abbotsford had twenty-five wells. Oberle said the estimated cost of the proposed study was partly due to trying to tie it in with the county's drinking water program test results. He said there was no need to connect the study to zoning. In response to a question from Krug about what other use there might be, Oberle mentioned planning, giving the example of the Stetsonville wells, and also permitting of subdivisions. Krug sought suggestions as to how the committee should proceed. Purvis reiterated previous comments that the study would be nice but that

funding was a problem. Oberle suggested use of the transmission line fund. Zenner, using dairy as an example, said that groundwater issues occur across county lines and that a statewide study would be more useful. Oberle suggested another use of the study would be in siting of a large water-using facility. In response to a comment by Soper that he thought there already was data available, Purvis noted that the data was not all in one place. Soper questioned if it was going to cost \$200,000 to correlate data. He also questioned how, if there was not strong support in the committee, the proposed study would be approved by the County Board. Purvis suggested that the proposal needed support from the public and businesses in order to get approval. The committee decided to postpone any decision or action. Oberle said he would not bring the topic back to the committee but might if there was money available.

**Big Eau Pleine Task Force update:** Oberle distributed copies of the agenda for the November 11 meeting and the minutes from the October meeting. He said he was disappointed with where the task force is going and the way the counties are working together. He said the Task Force is being run by Marathon County. He expects Marathon to restrict activities in a sub-watershed and that Marathon County is using the Task Force to go after a TMDL analysis and designation for one of the sub-watersheds. Krug asked about the use of TMDL status and if it was associated with certain types of agricultural activity. Oberle said he did not know where this was going. He said data had been collected in sub-watersheds, including one with problems, but that they were not working there. Oberle said he planned on continuing to attend the Task Force meetings.

**North Breeze Dairy (NBD) update:** Oberle included paperwork in the LCC packet about the NBD situation. The paperwork came out of a meeting with the DNR in Madison. The LCD received the site plan for NBD. Oberle reported that Little Black was putting together a letter relative to NBD and the meetings with the DNR. They are working with NRCS to look at the effect of new standards that are being developed, especially Practice 313, Waste Storage Facility. Soper asked if the old standards would apply if NBD had applied for a permit while the old standards were in effect. There was discussion concerning the existence of a sand lens vs. a perched water table in the area. Oberle said that such questions would be one use of the proposed groundwater study.

## **NEW BUSINESS**

### **Reports**

**Pri-Ru-Ta RC&D – Lanice Szomi, Program Manager, and Ray Soper, LCD Representative to Pri-Ru-Ta, reported:** Soper announced that Szomi had recently been elected president of the Wisconsin Association of RC&D Councils. Soper also mentioned that grazing had been increasing in the Pri-Ru-Ta area, with Bob Brandt, Pri-Ru-Ta grazing specialist contributing greatly to that increase. Szomi said that Pri-Ru-Ta had submitted four grazing grants, including two for Bob (for education and technical assistance), which, if received, would fund the position through 2013. They also submitted two grants for invasive species, one with the National Fish and Wildlife Foundation and one a RAC (Resource Advisory Committee) grant through the U.S. Forest Service. Those grants would, in part, fund a coordinator for the Upper Chippewa Invasive Species Cooperative. Soper said that Pri-Ru-Ta will host the state and regional annual meetings that will be held September 14-16, 2011. He also reported that at the October 29<sup>th</sup> meeting the proposed merger between WLWCA and WALCE was discussed.

**Land Conservation Department – Steve Oberle, County Conservationist, reported:** Oberle handed out a summary of the Conservation Assistance Program, noting that some projects had been extended from 2009 into 2010. Two of the projects have not yet been started, and the LCD will lose the funds if they are not completed by December 31, 2010. Many of the 2010 projects have been completed, but some may be carried over. Kyle Noonan, LCD Engineering Technician, has also worked on non cost-shared projects including for farmers, municipalities, and the county.

Soper asked about conservation plans for participants in the Farmland Preservation Program (FPP), noting that while plans are required, some participants are taking tax credits even though they are not in compliance. Oberle said not everyone takes tax credits, and he doesn't have that data. Soper asked how many required a conservation plan. Oberle replied that all do, but he said that a conservation plan was not required with an application. He said no conservation plans have been done with FPP participants since Ben Wojahn was the Resource Conservationist. Oberle said turnover has been an issue, as has lack of training. He went on to say that if a person was motivated, they could learn how to write conservation plans in-house. He said he has been asking Matt Lapinski, LCD Resource Conservationist, to do a status review of who has plans, not to write plans. Soper asked if it would help if Oberle and Lapinski did plans jointly, but Oberle said Lapinski was not ready.

Krug asked about CCA (Certified Crop Advisor) accreditation for signing off on nutrient management plans, noting that the LCD does not have a CCA on staff. Oberle said that for the planner's qualification section on the NMP checklist, he circles the "Other credentials approved by DATCP" selection and felt that the Resource Conservationist should also be certified to assist with development and approval of nutrient management plans in the LCD. He noted that Wojahn and Zoschke had become certified and that Lapinski has taken the test three times. He said the situation here is unique. He said he was not signing off on plans written by department staff or that others write, but rather on plans by farmers who write their own plans. Krug suggested that perhaps Oberle should become certified. Oberle said he has credentials and that DATCP has reviewed his plans. He said he would do whatever the committee prefers but cited the cost and time and asked if Lapinski then needs to be certified. He also asked if the state approved his credentials, was Krug saying they were not good enough. Mildbrand said he thought the department should have a CCA. Koerner asked if there were CEU requirements for CCAs. Oberle said that the state had never questioned his credentials. Koerner expressed concern that with the turnover in the department's Resource Conservationist position, the department could be left with no CCA.

**Natural Resources Conservation Service – Deb Esselman, FSA County Executive Director, reported on behalf of Bob Plawski, District Conservationist:** The EQIP (Environmental Quality Incentives Program) sign-up period is November 15 to January 14. The sign-up for the CSP (Conservation Stewardship Program) will be announced soon.

**Farm Service Agency – Deb Esselman, County Executive Director, reported:** For the DCP there are no advances until December. The 2009 SURE program (a disaster program) may open, but not many farmers are likely to be eligible because the program requires insurance on all crops, including hay, and not many have insurance on hay. The effects of the November election are not yet known, but hearings have already started for the 2012 Farm Bill. The mapping program on the server was moved and has been unusable. October DCP and CRP payments are out,.

**Wildlife Damage Program – Ed Zydzik, USDA-APHIS, reported:** Zydzik presented the 2011 Wildlife Damage Assistance budget for \$25,580.00. In order for the committee to determine the crop damage payment rates for 2011, he reported that the state average crop rates were \$4.30 for corn and \$9.40 for soybeans. **MOTION** by Peterson/Soper to approve payments at those state averages. **MOTION CARRIED.** Zydzik reported that this year's bear kill was very high in the state and that additional tags are likely next year. Some deer shooting permits were issued. Wolf activity appears to be occurring mostly in the east and north areas of the county, including one cow depredation in the east. APHIS may receive permission to euthanize depredating wolves in 2011 or 2012. **MOTION** by Peterson/Purvis to approve the Wildlife Damage Assistance budget as presented. **MOTION CARRIED.** The newly elected governor is likely to have an impact on the WDNR, which may affect the Wildlife Damage program. Deer damage on farms seems to be fairly well under control.

**Northwest Land & Water Conservation Association (NWLCA) – Steve Oberle reported:** At the October 29<sup>th</sup> meeting attendees discussed the calendar for the upcoming year and the proposed merger between WLWCA and WALCE. A draft budget for 2011 was approved.

**LWRMP (Land and Water Resource Management Plan) update:** The Technical Work Group met November 9. The meeting was facilitated by Arlen Albrecht, UW-Extension. The public survey results were reviewed, and the goals and objectives from the 2005 plan were reviewed and revised. Oberle expects to present the draft LWRMP to the state Land and Water Conservation Board in April. He is considering a possible December LCC meeting to approve the draft. In response to a question from Soper, Oberle said the County Board did not need to approve the LWRMP before presenting it to the Land and Water Conservation Board.

**Working Lands Initiative update:** Oberle had included some information about the program with the LCC packet. Lapinski went to a recent informational meeting and brought the information back. Mauer announced that there will be a Working Lands session at the Towns Association meeting to be held November 18 in the Town of Rib Lake. Zoning was discussed at a recent meeting in the Town of Little Black.

**LCC meeting schedule:** A meeting was scheduled for December 21 at 10:00, dependent on Oberle finishing the LWRMP draft by that time. Determination of the schedule for 2011 was postponed.

**Training:** Oberle said Lapinski would be going to SNAP training in December, saying that it was more comprehensive than other upcoming training. He also said that Lapinski had already received SNAP-Plus training.

**Conservation Plans:** There were no conservation plans presented for approval. Oberle said that he and Lapinski are working on plans.

**Bills and budget analysis: MOTION** by Mildbrand/Peterson to approve the bills and budget analysis as presented. **MOTION CARRIED.**

**Next LCC Meeting .....December 21, 2010**

**MOTION** by Peterson/Soper to go into closed session at 11:45 a.m. pursuant Wis. Stats. 19.85(1)(c) to provide proper review of personnel evaluation comments and other personnel matters. On a roll call vote, with all members voting in favor, **MOTION CARRIED.**

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Chair \_\_\_\_\_ Date \_\_\_\_\_

## **TAYLOR COUNTY LAND CONSERVATION**

Minutes of September 21, 2010 Meeting

The monthly LCC meeting was called to order by Dave Krug at 9:00 a.m. The meeting was held in the UW Extension Meeting Room, County-USDA Service Center, Medford, Wisconsin. Members present were David Krug, Chairman, Scott Mildbrand, Tim Peterson, Donald Purvis, and Ray Soper. Chuck Zenner, County Board member was also present. Others present were Chris Borden, Pri-Ru-Ta RC&D Coordinator; Deb Esselman, FSA County Executive Director; Bob Plawski, NRCS District Conservationist; Ed Zydzik, USDA-APHIS; Steve Oberle, County Conservationist; Kyle Noonan, LCD Engineering Technician; Matt Lapinski, LCD Resource Conservationist (part of meeting); and Cathy Mauer, LCD Conservation Assistant. Jason Suckow, USDA-APHIS State Director of Wildlife Services; Madeline Gotkowitz, Wisconsin Geological and Natural History Survey; Mike Fienen, U.S. Geological Survey-Wisconsin Water Science Center; Mary Williams, Representative State Assembly District 87 and Pri-Ru-Ta RC&D President; Larry Peterson, Taylor County Zoning Administrator; Arlen Albrecht, UW-Extension CNRD Agent; and Brian Wilson, *Star News*, were present. Members of the public were also present.

**MOTION** by Peterson/Soper to approve the agenda as distributed and posted. **MOTION CARRIED.**

**MOTION** by Soper/Peterson to approve the August 24, 2010 LCC meeting minutes. **MOTION CARRIED.**

August-September 2010 bills were circulated for review, and the July 2010 budget analysis was distributed. **MOTION** by Peterson/Purvis to approve the bills and budget analysis as presented. **MOTION CARRIED.**

### **NEW BUSINESS:**

**Wildlife Damage Program – Ed Zydzik, USDA-APHIS, reported** (this item was moved up on the agenda): The Venison Donation Program will pay \$55 per deer. Skabroud and Hickory Nutz are two Taylor County processors that have indicated interest in participating. **MOTION** by Mildbrand/Peterson to take part in the Venison Donation Program. Mildbrand suggested purchasing local beef for food pantries instead of paying for venison processing. **MOTION CARRIED** on a 4-1 vote. Wolves are being removed for human health and safety concerns in Price County and one other location in central Wisconsin. Trapping of bears in corn has been fairly quiet. Keith Skabroud and Gary Schumacher were issued permits. There was an issue of turkeys in ginseng beds that was resolved with a low cost fence. There budget will be done in November, with few changes. He expects a high bear kill. Deer numbers are about where they should be as far as wildlife damage, reflected in low complaint numbers. Discussion of wolf delisting followed.

### **OLD BUSINESS:**

**Taylor County Groundwater Study and Model Development:** Madeline Gotkowitz (Wisconsin Geological and Natural History Survey (WGNHS)) presented background information related to groundwater issues and described the proposed study. It would look at groundwater quantity, consequences of pumping, relationships to climate, where and how quickly recharge occurs. The study would include some new data collection, construction of a flow model, and use of simulations to answer hypothetical questions that county would like answered. In addition, they would provide an additional six months support to answer additional questions. Mildbrand questioned what would be done with the data and questioned paying for a study if there was no will to use it. Larry Peterson suggested that planning could be one use and also that if a study were to be done, it should be used rather than put on a shelf. In answer to a question about the process, Gotkowitz said a study wouldn't be started until December 2012 so there would be time for on-going discussions as to what the county would want included. She said the cost would be about \$150,000 - \$200,000 and that it would be important to work with the county upfront to make sure the study would provide the information the county wants. Studies that have

been done in other counties are available to look at. Mike Fienen (US Geological Survey (USGS)) said that the Chequamegon National Forest will be having a groundwater study done in 2012 that includes Taylor County, which would offer an opportunity to piggyback the study, thus reducing costs and increasing efficiency. Gotkowitz said the study would almost certainly not find new aquifers. Fienen said that the data collection was done with objectivity and that they were interested in whatever the community needs and wants [as far as the study design]. In response to a question about the timeline, Gotkowitz said they would need to know in eight to twelve months if the county wanted to go ahead with the study, especially if it was going to be tied into the US National Forest study. She said they would be willing to come back to answer additional questions.

**Big Eau Pleine Task Force, September 16<sup>th</sup> meeting:** Oberle distributed the agenda and past minutes and summarized the meeting.

**North Breeze Dairy update:** Oberle attended a meeting on September 17 at which representatives from North Breeze Dairy met with Wisconsin DNR staff. Oberle and a contingent from the Town of Little Black were there only as observers. The meeting was requested by NBD to review letters sent to NBD by DNR. An August 5<sup>th</sup> letter concerned the pump tests done by NBD and an August 25<sup>th</sup> letter concerned their waste storage plans. In the letters DNR respectively requested new pump tests and rejected the waste storage plans as submitted.

## **NEW BUSINESS:**

### **Reports**

**Land Conservation Department – Steve Oberle, County Conservationist, reported:** Announced that registration information for the annual WLWCA conference was in this month's LCC packet. Soper plans on attending.

**Farm Service Agency – Deb Esselman, County Executive Director, reported:** There are no new programs. Ag Center employees donated 415 pounds of food in a recent food drive. A television/computer display has been set up in the entry area of the building to provide information about agency activities.

**Natural Resources Conservation Service – Bob Plawski, District Conservationist, reported:** One additional application was approved for the Conservation Stewardship Program (CSP). Contracts for seven CSP crop agreements amount to \$53,295; four non-industrial private forest agreements amount to \$4,432. The annual EQIP work group meeting will be held at 1:00 p.m. today (September 21).

**Northwest Land & Water Conservation Association (NWLCA) – Steve Oberle reported:** The poster and speech contest will be at the next NWLCA meeting to be held later this month.

**Pri-Ru-Ta RC&D – Chris Borden, Coordinator reported:** They have hired four additional staff to do soils and wetland determinations. They will be working twenty hours a week and will serve the state as a whole, as well as the northwest. Mary Williams will be continuing as president of Pri-Ru-Ta. Williams said that Soper has been coming to meetings.

**Drinking Water Testing and Education Program:** Oberle had included a flyer about the program in the LCC packets. He will be meeting with Groundwater Center staff when he takes the water samples to Stevens Point to discuss a groundwater summary that will be done there. Krug noted that the LCC was charging the same as past years, which amounts to a pretty good subsidy and questioned the advisability of that considering the current count budget issues. Oberle said the data was useful. Krug said there was a need to look at the fees in the future.

**Nutrient Management Program (NMP) and Working Lands Initiative update:** Lapinski reported on a recent meeting covering NMP and Working Lands Initiative that he

attended with Bob Plawski, NRCS. He said that there was a change for updating NMPs, which can now be updated using either SNAP or a hard copy. The proposed changes to NR151 include a 5' tillage setback to creeks, bunker/leachate regulations, and new phosphorus index performance standards. As part of the Working Lands Initiative, prospective locations were selected as Agricultural Enterprise Areas (AEA) and will be reviewed, but Lapinski was not certain if all had been approved. Oberle asked what the requirements for a landowner would be if an AEA was established or if they have a contract. Lapinski said that property tax credits would be \$5/acre if in an AEA, \$7.50 if in zoning, or \$10 if in both. To enter an AEA a petition to the state is required including five landowners and 1,000 acres. He said most of the proposed AEAs are townships. The Taylor County Towns Association November 18 meeting will include a presentation about the Working Lands Initiative. Information was given on some of the Farm Bill updates. There were SNAP updates, most notably different year phosphorus and nitrogen additions if levels are too high. The Manure Management Advisory System has been revised; there will be restriction maps and forecasts that will change twice a day, linked to NOAA to make predictions. The MMAS maps will allow selection by location rather than township, range, section. In response to a question from Krug, Lapinski presented the schedule for upcoming NMP classes to be held in conjunction with NTC, Clark County, Lincoln County, and Marathon County, as well as Taylor County. Introductory open houses will be held in October as an introduction and to provide information on soil sampling. NTC will be paying the counties \$2,800 each. The fee will be \$175 with a \$130 reimbursement to the farmer when they have completed their NMP. Lapinski has been helping farmers write their NMPs, which are then reviewed with Oberle. Committee review of NMPs at this meeting was tabled due to time constraints.

**Correspondence:** Agenda for work group, CREP spending authority

**Other New Business:**

**Hydrogeology study:** Oberle expressed disappointment that the study could not be started before 2012 and concern about keeping the momentum going. Discussion followed about how the committee should proceed with the proposal for the study, funding possibilities including use of the powerline money, and a future presentation to the full County Board. Members were concerned about the accuracy and objectivity of the study, as well as cost/benefits. Mildbrand suggested that at the next LCC meeting the committee look over the study pre-proposal and develop ideas for WGNHS to help them focus a presentation for the full County Board. Krug told Oberle to include the study proposal as an agenda item for the next LCC meeting. Purvis suggested that options needed to be spelled out. Krug suggested working with Peterson and to plan on a presentation to the County Board in 2011.

**Future meetings/events:** **MOTION** by Mildbrand/Purvis to approve all meetings below.  
**MOTION CARRIED.**

LCD Budget Review Session (Oberle) ..... September 23, 2010  
 2010 Fall County Conservationist meeting (Oberle) ..... (Stevens Point) Sept. 30-Oct. 1, 2010  
 NWLCA (Oberle) ..... (Spooner) October 29, 2010  
**Next LCC Meeting ..... November 16, 2010**

**MOTION** by Mildbrand/Peterson to move into closed session per Wisconsin Statutes 19.85(1)(c) for Oberle evaluation. **MOTION CARRIED.** **MOTION** to return to open session at 1:12 p.m. **MOTION CARRIED** by unanimous roll call. **MOTION** to send Oberle evaluation to Oberle and to Human Resources Director. **MOTION CARRIED.**

**MOTION** by Peterson/Soper to adjourn at 1:20. **MOTION CARRIED.**

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Chair

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Date

## **TAYLOR COUNTY LAND CONSERVATION**

Minutes of August 24, 2010 Meeting

The monthly LCC meeting was called to order by Dave Krug at 10:00 a.m. The meeting was held in the UW Extension Meeting Room, County-USDA Service Center, Medford, Wisconsin. Members present were David Krug, Chairman, Scott Mildbrand, Tim Peterson, Donald Purvis, and Ray Soper. Others present were Chris Borden, Pri-Ru-Ta RC&D Coordinator; Bob Plawski, NRCS District Conservationist; Steve Oberle, County Conservationist; Kyle Noonan, LCD Engineering Technician; and Cathy Mauer, LCD Conservation Assistant. Also, Mary Williams, Representative State Assembly District 87 and Pri-Ru-Ta RC&D President; Brian Wilson, *The Star News*; and Kim Lewandowski.

**MOTION** by Soper/Peterson to approve the agenda as distributed and posted. **MOTION CARRIED.**

**MOTION** by Mildbrand/Purvis to approve the July 27, 2010, LCC meeting minutes. **MOTION CARRIED.**

July-August 2010 bills were circulated for review, and the June budget analysis was distributed. **MOTION** by Peterson/Soper to approve the bills and budget analysis as presented. **MOTION CARRIED.**

### **OLD BUSINESS:**

Taylor County Land and Water Resource Management Plan (LWRMP) – Oberle stated that his target time frame to present the LWRMP to the state Land and Water Conservation Board is the board's December meeting. The 2010 plan follows plans that were done in 2000 and 2005. A survey is being developed that will be part of the public input portion of the planning process. A draft of the survey was included in the LCC meeting packet. The new plan will be a ten-year plan rather than a five-year plan. The LWRMP lays the groundwork for what the department is doing and spells out priorities. The plan is required for the department to be eligible for state staffing and cost-share grants. Oberle doesn't expect many changes from the current plan. Discussion followed on options for distributing the survey. No funds were designated in the department's 2010 budget for development of the LWRMP, including the survey, but Oberle stated that he thinks it would be appropriate to use funds from the department's soil survey budget.

### **NEW BUSINESS:**

#### **Reports**

**Land Conservation Department – Steve Oberle, County Conservationist, reported:** Oberle distributed maps and other documents related to the Big Eau Pleine Task Force, including a summary of ordinances that would have an impact on the watershed. Oberle did not attend the last Task Force meeting.

**Natural Resources Conservation Service – Bob Plawski, District Conservationist, reported:** All but one of the eleven applications that were received for the second go-round for the Conservation Stewardship Program (CSP) were approved. Applications for 2011 will probably be taken starting in November. There are twenty-four enrollees in Taylor County. Payments range from \$315 to \$22,000 depending on activities and acres. Under the program, enrollees are being rewarded for good stewardship practices. Installation of practices being cost-shared through EQIP are wrapping up, with one barnyard left. The 2010 audit process is starting, with six projects being included this year, which have already been taken care of. The local EQIP work group meeting will be held by October 1. The groups will look at resource concerns; it is expected to be tied in with the LWRMP. There is a new format for the EQIP planning process this year, including public meetings that will be chaired by the LCC. State

ranking standards have changed. Comprehensive Nutrient Management Plans (CNMPs) are no longer required and NMPs can now be put under local contract rather than needing to be on an area basis. EQIP changes are in draft status, including a fencing cap of \$10,000, manure storage cap of \$100,000 (up from \$90,000), changes to transfer systems, and nutrient management is no longer tied to having a CNMP. Sign-up for EQIP for 2011 will probably be after October 1, and approvals are expected by January or February.

**Pri-Ru-Ta RC&D – Chris Borden, Coordinator, reported:** New resources are available, including a complete set of aerial photos from 1938-1939, that have not been digitized. A host to house the photos on a server is still needed. USDA NAIP photo flights started in July and are continuing. Color infrared, which indicates moisture among other factors, is being included this year. Krug noted that the county photos are leaf-off rather than during the growing season, which provides different information. The Council hired Tim Meyer to work on the state soils data base. They will be hiring three wetland assistants to do wetland determinations. Mary Williams said that she had been at Klussendorfs for an announcement by Randy Romanski, DATCP Undersecretary, concerning grants available for grazing. She also stated that she has received many positive comments from the public concerning the Bob Brandt's work with grazers. Williams emphasized the importance of education legislators as to grazing and other agricultural issues. Oberle asked if Williams thought the state will be more committed to agricultural alternatives in the future. Williams said that Romanski mentioned that there is room for both large and small operations. Oberle asked about a sustainable ag program from DATCP and if such a program had been renewed.

**Farm Service Agency – Don Purvis, FSA Committee Representative, reported:** There are no MILC payments. Taylor County farmers are eligible for disaster payments due to the county being adjacent to Price County, which was declared a drought disaster area. The Biomass Crop Assistance Program has been suspended; they are now looking at crops such as grass for biomass. Plawski mentioned that the CRP sign-up period ends August 27. There are three possible sign-ups in the county, all of them participants who had been in the program previously but now need to re-enroll as new applicants.

**Allocation of Animal Manure Ordinance (AMO) permit fees:** When Oberle met with the Personnel/Finance Committee and asked their opinion as to how the permit fees should be used, he was told to ask the LCC. He expects the income from fees would usually be \$100 more or less per year. He asked if the fees would go to the county general fund or the department and if they could be used for cost-sharing. Mauer mentioned that there is an existing line item for fees. Oberle wondered if it should stay that way. Soper asked who has the final say on how the fees should be spent. Krug suggested using the fees for grants for NMPs. Oberle mentioned that while there would usually be only \$100-\$200 collected, in cases such North Breeze Dairy, there could be \$5,000, but that would not be the norm. Soper and Purvis both supported keeping the fee money in the department. Mildbrand presented the idea of capping the amount that might go to the department, and Oberle suggested that perhaps the money should not be limited as to use, e.g the funds could be used for purchasing a truck. Mildbrand wondered where license money from other departments goes. Zenner said he thought the money should go back to farmers, not to items such as a truck. Noonan suggested that using funds for some other items, such as department software licenses or other supporting expenses might be appropriate. Oberle said that zoning permit fees mostly stay in the Zoning Department. Some is transferred if it builds up to a large amount. Krug thought a cap on the amount that would stay in the department was not a good idea, and Mildbrand, having rethought the issue, agreed. **MOTION** by Peterson/Soper that AMO permit fees be held in a separate line item and be used for Nutrient Management cost-sharing and associated costs involved in working with farmers to develop nutrient management plans. **MOTION CARRIED.**

**Groundwater/hydrogeology study:** Oberle handed out a watershed map for Taylor County. He has been working on a grant proposal with the Wisconsin Geological and Natural

History Survey (WGNHS) to fund a study covering Taylor County. Oberle has been summarizing existing data and distributed additional information including tables of water systems and hydrologic budgets, definitions, and a summary of private well data, noting in some places the depth to granite is less than ten feet. Krug asked Oberle to compare the proposed study to one done in the 1970s. Oberle said that the older study was regional, covering an area of near-surface crystalline rock that includes several counties. In response to a question by Soper, Oberle said that it was DNR data. Krug and Williams discussed the value of an updated study, noting that the new study would give new information. Oberle said that while the geology has not changed, land management activities have changed, citing examples such as draining land with 'W' ditches in the past and now restoring wetland and more withdrawals from new homes. Discussion and comments ensued: increased water consumption by many people; water availability related to jobs and drawing or keeping businesses; a county-wide study more desirable than a localized study; whether or not the issues in Little Black were an impetus for the study (Oberle said there was probably more impetus as a result of the proposed dairy); who would be doing the study (WGNHS); Oberle said the money would be coming from the federal government and other sources that he wasn't sure of; the old regional study wasn't detailed enough; county contribution to the study (Oberle he thought the county could use some of the transmission line money for that purpose. Zenner said that the county needs to contribute); questions would arise concerning other businesses and homes or farms; if the study could show where there was enough water; use of data as a tool for zoning and/or to block North Breeze; businesses might choose not to locate due to lack of water; need to get going with study; similar studies have been done in other counties; estimated cost \$200,00 +/-; if grant successful, start early next year and take about two years. Oberle said she would be seeking input from Larry Peterson in grant proposal discussions and siting of subdivisions. Mildbrand expressed two concerns: about who would be doing the study and that they need to be unbiased and what would happen with the results, e.g. could there be zoning based on water? Oberle said the next step would be to finalize the grant proposal and budget. He also said staff from the WGNHS would be willing to meet with the committee. Concerning what would be done with the data, he said the LCD could use the data, as well as the Zoning Department, e.g. subdivision siting, and by communities. Krug said the data would be a tool rather than being for a specific use. Other comments included concerns about possible restrictions on building, that there would be winners and losers. Borden made a comparison to soil data, that the water data would be informative as to not only can you or can't you but how to plan, costs, etc. Oberle said he would invite WGNHS staff to the next LCC meeting.

**Nutrient management training classes:** NMP classes are scheduled for this fall and winter. Dates and times were included in the LCC packet. If farmers take a class and write a plan, they are then certified to write their own plans. Introductory meetings will be held in October. In response to a question by Soper, Oberle said there was a fee, but he did not know the amount.

**2011 LCD draft budget:** Oberle reviewed the draft budget for next year. The department's grant allocation from DATCP for staffing and cost-share have both decreased from last year. The 2011 staffing allocation is \$137,619, compared to \$138,843 in 2010. The 2011 cost-share allocation is \$60,931, compared to \$61,394 in 2010. There was no change in the wildlife damage services budget. According to the budget draft, the department's revenue is \$219,231; expenditures are \$338,549. The county levy is \$139,799. There was no increase in discretionary spending, but there was an increase in salaries and benefits. **MOTION** by Soper/Purvis to approve the proposed 2011 budget. **MOTION CARRIED.**

**Correspondence:** *Thursday Note*; News release about DATCP subscription service information; *Agriview* article "Management on Shallow Groundwater Soils"; LWCB Agendas.

**Next LCC Meeting ..... September 21, 2010**

Oberle's evaluation was postponed until the September 21 meeting.

**MOTION** by Mildbrand/Peterson to adjourn at 12:08 p.m. **MOTION CARRIED.**

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Chair

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Date

## TAYLOR COUNTY LAND CONSERVATION

Minutes of July 27, 2010 Meeting

The monthly LCC meeting was called to order by Dave Krug at 10:00 a.m. The meeting was held in the UW Extension Meeting Room, County-USDA Service Center, Medford, Wisconsin. Members present were David Krug, Chairman, Scott Mildbrand, Donald Purvis, and Ray Soper. Tim Peterson was absent. Others present were Ken Schmiede, Taylor County Corporation Counsel; Deb Esselman, FSA County Executive Director; Bob Plawski, NRCS District Conservationist; Ed Zydzik, USDA-APHIS; Steve Oberle, County Conservationist; and Kyle Noonan, LCD Engineering Technician. Also, Brian Gerrits, North Breeze Dairy; Brian Wilson, *Star News*; and Paula Liske, WKEB.

**MOTION** by Mildbrand/Soper to approve the May 18, 2010, LCC meeting minutes and the agenda as amended to move item [Oberle mentioned item 7E but appeared to be referring to Item 7F (North Breeze Dairy permit application status)] to immediately after approval of meeting minutes. **MOTION CARRIED.**

**Review/possible action on North Breeze Dairy permit application status.** Oberle again cited item 7E. Oberle stated that he wanted to avoid future repercussions in permitting North Breeze Dairy. He stated that the LCD had received the original plans and specs for the facility but that he had not received a complete permit application. Oberle met with Schmiede to discuss the question of whether the North Breeze Dairy would come under the County's original Animal Manure Ordinance (Chapter 63) or the revised Animal Manure Ordinance. Schmiede stated that there was nothing in the state statutes to address the situation but that he reviewed other court cases and found one case that he believes applies to the North Breeze Dairy situation. He believes that, based on information he received from Oberle, North Breeze Dairy would be subject to the revised Chapter 63, Animal Manure Ordinance rather than the original ordinance because 1.) North Breeze Dairy has never gotten far enough along in the permit process to be in compliance with the previous regulations and 2.) North Breeze Dairy was aware of the changes being made to the code. Gerrits questioned the differences between the two versions. Oberle cited changes in time frames for review and approval of permit applications so as to give LCD staff and the LCD more time to review applications, enactment of permit fees, and a requirement to have nutrient management plan updates submitted by March 31 each year. Krug noted that the language changed the language from "working" days to "calendar" days. Schmiede suggested that use of calendar days was better because it is less ambiguous. Oberle mentioned that Gerrits had what appeared to be revised and specs with him. Gerrits responded that they were still in the permit application process, that they had started before the ordinance changed, and why would they be subject to the new ordinance. Schmiede stated that he thinks that there would not be substantive requirements that would affect North Breeze's application. Krug noted that Oberle had put "review/possible action" on the North Breeze Dairy permit application. Oberle said that he thought action might be needed to require North Breeze to resubmit an application under the new ordinance. Mildbrand expressed concern about possible discrepancies between the March 31 date for the nutrient management plan (NMP) update that is in the revised ordinance and the time frame that is in the resolution that provided an agreement with North Breeze for sampling and the Dairy's populating of the facility. Gerrits said that they probably wouldn't start construction until next spring and they wouldn't be generating manure until late summer or early fall. Discussion followed concerning the time frame for a revised NMP, relative to the resolution/agreement and the ordinance requirements, with Oberle continuing to refer to the year listed on the plan and committee members and Gerrits pointing out that the plan would be revised dependent on the timing of the dairy being populated. Schmiede said that his interpretation was that the main issue relative to application of the old ordinance vs. the revised ordinance was whether permit fees would be charged. Krug questioned if any action would need to be taken. Schmiede stated that no action was needed, but that the committee needed to be aware of what has been discussed. Krug asked if it would be appropriate to take action indicating that the North Breeze Dairy permit would be issued under the revised Chapter 63. Oberle asked if he should give Gerrits

a copy of the new permit application, which Oberle indicated was changed only to reflect the changes in the ordinance. Krug asked for a motion from the committee reflecting that any animal manure permit applications that are processed after enactment of the revised Animal Manure Ordinance, April 20, 2010, be processed under the revised ordinance. **MOTION** by Soper/Purvis to that effect. Schmiede suggested that the motion should be that any permit issued after that date would comply with the new Chapter 63. **MOTION CARRIED** with that revised language.

## **Reports**

**Land Conservation Department – Steve Oberle, County Conservationist, reported:** He has been working with Tony Fraundorf, of the Taylor County Health Department, to address fly issues at the Patrick Mink Farm after receiving complaints from neighbors of the farm. The LCD has been working with Patrick on manure issues. Lon Franson of DNR has also been involved. According to Oberle, Franson and DNR have indicated that runoff from mink farms is regulated in the same way as runoff from other farms, but farms that process mink food on site need wastewater permits and wastewater plans, as well. There was discussion on the question of the number of mink that would qualify a mink farm as a CAFO. Mildbrand said that this had been a difficult year, due to the amount of rain. In answer to a question from Soper, Oberle indicated that Patricks were cooperative. Oberle commented that the LCD could do nothing to force cooperation if cost-sharing was not offered.

**Natural Resources Conservation Service – Bob Plawski, District Conservationist, reported:** Plawski stated that this has been an unusual year for construction, starting out with a lot of projects getting done or started early, including last year's and this year's projects. Most projects are being kept on schedule. There were fifteen sign-ups for the Conservation Stewardship Program, but four withdrew. One of the eleven left has some questions remaining; the ten that are pre-approved amount to about \$52,000, averaging \$5,000. Cropland/pastureland payments are about \$12-\$18/acre; woodland is \$7-\$12/acre. Once landowners get back to Plawski verifying their continued interest in the program, contracts will be developed. These will be five-year contracts. Ditch cleaning and wetlands are being addressed as there is time. NRCS technically has thirty days to approve any work being done. EQIP will be coming up and is likely to have some changes. The 2011 budget may one of the best ones that there has been as far as conservation goes.

**Farm Service Agency – Deb Esselman, County Executive Director, reported:** Esselman announced that FSA is cleaning out their storage room next to the meeting room; the storage area will be used by UW-Extension. DCP payments will be made in October. There will be a CRP sign-up soon; there are only thirty-five contracts in CRP in Price and Taylor Counties. Two expiring contracts will probably be able to get back in. The SURE disaster program is for crop damage; however, participants are required to have crop insurance on all crops, including hay. While some people in this area are not eligible, often due to not having all crops insured, in other counties large amounts of money are being expended and the program is under review by Congress. The Livestock Incentive Program covers animals that die as result of a natural disaster such as flooding, lightning, etc. but not wildlife damage. The ELAP program covers honeybee colony collapse, pasture losses not from drought, and wolf damage under certain conditions.

**Wildlife Damage Program – Ed Zydzik, USDA-APHIS, reported:** Zydzik reported that there have been only a few wolf problems in Taylor County. He was permitted to euthanize a wolf in Price County in an area where there is a history of hybrid wolves. One property in Price County is having a major problem with wolf depredation, and they have not been very successful at controlling it. Flaggery tends to work well, but they are having trouble getting it. He has also used a wolf box, which is effective but only on a wolf is collared to work with the box. In some areas the situation is bad. In response to a question about the possibility of euthanizing depredating wolves, Zydzik indicated that it might be possible in the future. Problems also occur when heifers of breeding age get run

and mixed with those of non-breeding age or get injured. Bear work has been fairly busy; he has addressed some goose problems, including getting shooting permits for Larry Romanowski; and he got deer shooting permits for Wayne Mann for damage on soybeans. There has been an increase in bear tags, and there will be an attempt to reduce bear numbers. There have been several bear break-ins into occupied cabins in other parts of the state. Part of the problem is that some farmers only want to shoot big bears. They usually start with three permits. Deer are the only animal that has a requirement to shoot a certain number. There will probably be enough money to make damage payments. The wet weather creates problems for trapping.

**Northwest Land & Water Conservation Association (NWLCA) – Steve Oberle reported:** Oberle reported that Ken Lindquist was elected the president, Jim Robb is the vice-president, and Kay McKenzie is the representative to WLWCA. LCD staffing continues to be an issue. Julian Zelazny, director of WLWCA, is working with a coalition of conservation organizations. A resolution concerning Asian carp has been drafted for the annual WLWCA conference. Paula Carow, Rusk County LCD, reported on the conservation camp and commented that Matt Lapinski from Taylor County LCD does a good job.

**Farmland Preservation Program Application:** Review and approval of Farmland Preservation Program application for Jeremy J. and Michelle D. Goebel, 181.56 acres, Section 20, Town of Aurora. **MOTION** by Soper/Mildbrand to approve the application. **MOTION CARRIED.**

**May-July 2010 bills** were circulated for review, and the **May budget analysis** was distributed. **MOTION** by Mildbrand/Soper to approve the bills and budget analysis as presented. **MOTION CARRIED.**

**2010 Conservation Assistance Program update:** Oberle distributed a spreadsheet showing the projects that have been or are expected to be done this year, including carryovers from 2009. Noonan reviewed the projects. Some have been completed, including 2009 carryover projects for Pete Skille (waterway) and Dan Hoffman (waste storage closure). Kim Peissig (barnyard) was just started the previous week. Bob Colson (barnyard), Stu Tietjen (watering system), Greg Toro (animal trail) and Paul Wenzel (animal trail). Quite a few graziers applied for cost-sharing for fencing. Each person gets \$1,000. Phil Crick had a barnyard system, Harry Jascor had animal trails and waterways, Gary Schumacher had two waste storage closures, and Terry Keyzer had fencing. Ed Butyn has signed cost-share agreement for a stream crossing, but the project had not been started. Other pending projects include Calvin Kalmon (animal trails and runoff), Lewis Davis (barnyard system), Tom Weber (animal trails), Ed Rudolph (waste storage closure), Gary Sromek (watering systems). Non-cost shared projects that Noonan is working on include Bovine Asset Management, which started last year but ran into rain problems; they have waste storage and a barnyard runoff control system, which will be funded by DNR and NRCS. Kurt Weirouch has a waste storage system and barnyard runoff control system. Noonan is also working with the Town of Westboro on a road erosion issue.

**Big Eau Pleine Watershed Case Study and Task Force meeting:** Oberle noted that there is a Big Eau Pleine Citizen's Organization and that the group and others are trying to avoid fish kills similar to last year's. Oberle distributed a map showing the watershed. He received a copy of the task force summary. He was invited to attend the group's meeting. The task force is led by Marathon County but is trying to involve other counties (Taylor and Clark) that are included in the watershed. Oberle suggested that there could be additional cost-share funds in the future for the watershed. There was a discussion about previous Big Eau Pleine watershed programs. Oberle stated that he doesn't think the Task Force knows much about groundwater. He noted that some parts of Taylor County have high phosphorus levels in groundwater and in the upper reaches of the Big Eau Pleine watershed. He also stated that at a minimum he thinks he could share his expertise in groundwater. Krug asked if Oberle thought there might be a connection between phosphorus and the fish kill; Oberle didn't know. He also discussed effects of concentration due to drawdown to feed the Wisconsin River and difficulties with aerators. In response to a question from Krug about

continued involvement, Oberle said perhaps the committee might want to make a formal motion authorizing his continued participation. Meetings are usually held in Wausau. **MOTION** by Mildbrand/Purvis to authorize Oberle to participate in the Big Eau Pleine Watershed Task Force. **MOTION CARRIED.**

**North Breeze Dairy WPDES permit applications and site plans/specs review:** In responding to a comment by Oberle concerning materials that Gerrits had with him, Gerrits responded that the materials were not for the county but were his copies. He wanted to address a concern expressed by Oberle that the county and the Town of Little Black had not received copies of the documents when they were submitted to DNR and stated that given the volume of materials, it was wiser to submit the documents only to DNR rather than having to recall the documents from the county and town in order to make any revisions required by DNR. In response to a question from Krug, Gerrits briefly listed the items included in the documents. Discussion of the DNR and county review time frames ensued. Gerrits asked if they would need to resubmit a permit application. Oberle said he would give them a new permit application, which would need signatures and payment of a permit application fee. Oberle said Gerrits could wait until they had their revised plans and specs to give to the county and noted that the Nutrient Management Plan had been taken care of and that he would not need that. Krug asked about the WPDES permit application that Oberle had earlier showed him. Oberle said that it had good information. There was a discussion about changes that have been made to the site plans. Gerrits offered to send a copy of the current plan to the committee.

**Correspondence:** 2011 Preliminary Allocation Plan; Land and Water Board Meeting Minutes; WLWCA Conference Volunteer Information. Oberle discussed the Preliminary Allocation Plan, noting that staffing dollars were decreased from \$140,388 in 2010 to \$138,032 in 2011 and that cost-share funds were decreased from \$63,000 to \$60,931. These amounts are subject to change, however. Oberle speculated that if the number of staff were decreased, the staffing dollars and cost-share might be decreased. Oberle said that if there is more staff, it offers more opportunities for other grants. Krug mentioned that one position in the LCD is contingent on state funding and wondered if that position is still funded by the state and at what percent. Oberle replied that it is totally covered by state funding, citing an increase in the staffing budget several years ago, which he claimed covered that position in full. Oberle then asked if the zero percent increase desired by the county was only in discretionary income or including staffing and benefits. Oberle asked if the permit fees that the LCD collects will be going to the department or to the general fund. Discussion followed. Krug suggested putting the question on the next LCC meeting.

**Future meetings/events:**

Taylor County Clean Sweep ..... (Rib Lake/Holway) August 19, 2010  
Big Eau Pleine Task Force meetings (Oberle)..... (Wausau) August 19 & September 16, 2010  
**Next LCC Meeting .....9:00 a.m., September 21, 2010**

**MOTION** by Mildbrand/Soper to adjourn at 12:20 p.m.

Oberle's evaluation, which was on the agenda, was postponed until the September 21 meeting.

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Chair

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Date

## **TAYLOR COUNTY LAND CONSERVATION**

Minutes of May 18, 2010 Meeting

The monthly LCC meeting was called to order by Dave Krug at 10.00 a.m. The meeting was held in the UW Extension Meeting Room, County-USDA Service Center, Medford, Wisconsin. Members present were David Krug, Chairman, Scott Mildbrand, Tim Peterson, Donald Purvis, and Ray Soper. Others present were Deb Esselman, FSA County Executive Director; Bob Plawski, NRCS District Conservationist; Steve Oberle, County Conservationist; Matt Lapinski, LCD Resource Conservationist; and Cathy Mauer, LCD Conservation Assistant. Also present were Chuck Zenner, Taylor County Board of Supervisors; Brian Gerrits, Financial Manager of North Breeze Dairy; Paul Sturgis, Croptech Agronomics (North Breeze Dairy nutrient management planner); Brian Wilson, *The Star News*; and Paula Liske, WKEB/WIGM Radio.

**MOTION** by Mildbrand/Purvis to approve the agenda as distributed and posted. **MOTION CARRIED.**

**MOTION** by Mildbrand/Purvis to approve the April 19, 2010 LCC meeting minutes. **MOTION CARRIED.**

April 2010 bills were circulated for review, and the March budget analysis was distributed. **MOTION** by Purvis/Peterson to approve the bills and budget analysis as presented. **MOTION CARRIED.**

### **OLD BUSINESS:**

**Welcome of new LCC member, Ray Soper. Thank you and presentation of certificate to past LCC member, Chuck Zenner.**

**Taylor County Nutrient Management Planning (NMP) Incentive Program:** Proposal to create an incentive program that would include payments for soil and manure sampling as part of development or updating of an NMP. Information about the program, including an explanation of the program, a landowner agreement form [for properties being rented or otherwise used for manure application by an operator], and an agreement for receiving incentive payments was included in the LCC packet for this meeting. Past programs included payments for plan development as well as soil and manure sampling. The new incentive program would encourage farmers to write their own plans. The program would use existing funding from past NMP cost-sharing, which came from Kraft Dairy Trust [and DATCP] grants. In response to questions from Mildbrand about what would happen if there was not enough money. Oberle replied that he does not expect people to break the door down for funds but that he is applying to the state for more funds. Krug sought verification that the program would be for Taylor County only and that land would be eligible only one time per acre. Soper asked if it needed to be stated that the county would not be obligated if there was not enough funding. **MOTION** by Mildbrand/Peterson to approve creation of the program for Nutrient Management Planning Incentives as presented, with the addition of a statement that payments are subject to the availability of funding. **MOTION CARRIED.**

**North Breeze Dairy (NBD) Nutrient Management Plan (NMP):** Krug reviewed the history of NMD's permit application process, including seeking approval of their preliminary NMP. He noted that WDNR had approved the revised plan that Taylor County is reviewing, that Oberle had submitted a "final review summary" to which Sturgis and Gerrits had responded. He also noted that the next step would be approval of the site plan. Gerrits stated that the engineers were to the 95% review point, would be sending plans to NBD today, and that they would have a meeting with the engineers and installers soon. Krug stated that the NMP is just one requirement for the permit. NBD had previously asked for a decision on the NMP approval by the end of May, which Krug stated he thought was reasonable. In his response, Oberle asked the committee to delay approval because he

thinks more information is needed. He read a memo he wrote to the LCC dated today along with information from him. He still questions if NBD has an adequate land base and stated that issues remain unresolved, including those related to Bach Farms. Oberle feels that Bach Farms use of land prior to its use by NBD is problematic and that NBD's NMP is incomplete and not acceptable. Oberle cited an email from Bill Hafs (Brown County Conservationist) that 1.8 to 3 acres is needed per cow for spreading of manure. Mildbrand pointed out that the land base issue had been addressed by the resolution previously passed by the LCC (that resolution restricted the number of cows until actual manure values from NBD are available). He stated that the current hang-up is deciding if the NMP is a living document. Krug questioned Oberle if even with the resolution he was not willing to accept use of Lake Breeze Dairy (LBD) values. Oberle said that since the committee passed the resolution his accepting LBD or not did not matter. He went on to state that use of LBD values was based on similarities that in his opinion were not valid because NBD was changing the proposed facility. Krug mentioned that the resolution offers safeguards.

Oberle said that there was not a complete NMP. Zenner asked Sturgis if Oberle had received a complete Bach NMP. Sturgis replied that only 2<sup>nd</sup> year credits are required, therefore only credits from 2009 were credited into 2010 and that these were relatively small numbers. Anything from 2008 was not included because they would be third year credits. He stated that Oberle did not receive the Bach NMP and annual plans from him but received it from Andrew Craig of WDNR. He stated that nobody had required Bach to have an NMP for the heifer facility. Oberle disputed that. Krug asked about the size of the facility. Oberle said he calculated 4000 tons of solid manure or 1.71 million gallons of liquids and that Beef World would have 10,000 tons of solid or 7.7 million gallons of liquid. Sturgis said that Beef World (in Clark County) was not part of Bach Farms and that the heifer facility had a separate land base. Sturgis suggested that Oberle send a letter to Bach requesting an NMP for the heifer facility and that Bach had not received such a request previously. Zenner asked if Oberle had contacted Andrew Craig. Oberle said that he had been asking for NMPs for Bach's facilities since he found out Bach would be involved and that he doesn't know if Bach's plan is complete. Mildbrand asked how Oberle would know if the Bach plan was complete. Sturgis asked how often Taylor County wanted updates and under what time frame. He pointed out that there would be field and crop changes and reiterated that an NMP is a living document. Oberle criticized the omission of newer data in the NMP; Sturgis explained the timing of the availability of data and the writing of the associated annual reports, especially relative to the lengthiness of the approval process. Krug questioned if newer soil samples wouldn't resolve the question of credits unless there weren't samples. Sturgis pointed out that samples are done in a rotation with samples being taken every four years. Oberle claimed that 500 acres had not been sampled, but Sturgis disputed that. The plan used a 101 ppm value for fields without current samples and that unsampled fields would be sampled as they come due. Mildbrand pointed out that delaying would result in more fields being due for sampling and that at some point it becomes unfair. Oberle disputed that he was delaying. He added that previous NMPs from other farms had only been looked at for a minute before being signed but that the NBD plan has been gone over with a fine-toothed comb such that it would be impossible for them (NBD) to satisfy Oberle. He added that the job of the LCC is to protect the land and the water resources, not to prevent NBD from coming in. Krug asked if we [the LCC and LCD] were being consistent relative to how other farms had been dealt with. Oberle said no, because this is a different situation because he is usually dealing with a complete plan and because of the size of the dairy. Sturgis reminded Oberle and the committee that NBD and Bach Farms are two separate facilities that should be treated separately though there will be a transition period with perhaps 1000 transition acres. He pointed out that NMPs outline procedures for dealing with the manure and suggested that members could contact Craig. Krug said he had called Craig, who does not have a concern about the revised plan, which was already approved by the DNR. Mildbrand also talked to Craig, who told him that no manure will be spread until there is adequate sampling or they would be in violation. Oversight will be by the DNR; Mildbrand asked when anyone felt the DNR had not regulated enough. Oberle cited items he felt were missing from

the plan and that the plan was not in compliance. He continued arguing that the NMP submitted by NBD was not complete. Krug said NMPs were an ongoing process and asked when Oberle would be satisfied. Sturgis said he could accommodate if Oberle would give him a date and what was still needed. **MOTION by Peterson/Milbrand to approve the preliminary nutrient management plan for North Breeze Dairy.** Question by Soper about how many acres are not in compliance and why not. Oberle said there were probably over 500 acres but that it is the plan that is out of compliance due to issues of soil samples, credits, his being unable to read the soil tests and to tie them to the correct field, and soil restrictions maps that he finds unsatisfactory. Until he has a plan he feels is complete, he can't say if there is enough land base available, including NBD and Bach. Oberle stated that if NBD was not using Bach, then there wouldn't be an issue, but because they are, he needs both plans in order to determine if one plan meets the standard. Gerrits stated that he felt fortunate that they were dealing with just one person here whereas at Lake Breeze, they are dealing with fifteen farms. He asked if that were the case here, would Oberle ask for NMPs from all fifteen? Fond du Lac County does not ask for NMPs from all of them but does require that nutrients and fields need to be identified. Oberle said he would agree that having one landowner vs. would make things easier, but that he doesn't. He went on to say that there has been a track record with Bach that he is very concerned about. Mildbrand asked about the wetland maps and had a question about mention in Oberle's review of conduits to water. Sturgis replied that addressing this would be part of doing field verifications, and that all NMPs required having field verifications. Soper expressed concern about using minimal acres and that the restricted areas would lessen that. Sturgis pointed out that these acreages were small. Oberle again said he was only looking for consistency and completeness. Soper asked what if they had more nutrients than they had acres to spread. Sturgis and Krug pointed out that they were limited in cow numbers. Zenner said he had asked Craig the same question, and that they would be required to either cut back on animal units or get more acreage. Soper asked what if there was a violation. Sturgis replied that they could lose their license and be fined. Oberle asked about the contract for acres. Krug said that per the last meeting Oberle was to provide an agreement form. Oberle said that it would be the same form as for the NMP incentive program. Oberle said he was referring to the contracts for NBD. Mildbrand said that when the existing contracts expire, then a new agreement could be required. Peterson said that some wouldn't sign. Oberle said verbal agreement would be okay. Krug said this was a separate item from the MOTION, but there was a list of existing agreements now. Mildbrand asked to verify that that the preliminary plan was the same that was submitted to DNR and that samples will be taken before manure is spread. He was assured that this was the case. On a unanimous voice vote, **MOTION CARRIED.**

**MOTION** by Mildbrand/Purvis to approve the use of the agreement form, as presented for the NMP incentive program, for new contracts (valid for the contract period) or when existing agreements expire. **MOTION CARRIED.**

## **NEW BUSINESS:**

### **Reports**

**Land Conservation Department – Steve Oberle, County Conservationist, reported:** He attended a DATCP Board meeting that included discussion of the state's Livestock Siting law. A technical committee will be formed to look into revising the law. Public comments were taken at the meeting, including from Oberle. Oberle thought the Secretary would also be forming a separate panel that will look at policy-related issues related to livestock siting. Mildbrand asked if there had been any discussion of zoning ordinances. Oberle said he did not recall any such discussion.

**Natural Resources Conservation Service – Bob Plawski, District Conservationist, reported:** There were eight EQIP contracts totaling \$169,690 plus one recent barnyard and manure pit contract for \$156,000; total of \$325,690. The

Conservation Stewardship Program (CSP) using 2009 money for twelve 2010 contracts totaled \$177,010 over the next five years, ranging from \$567 to \$6,900 per year. They are currently taking applications through June 11. There are now 14 applications. There is a state-wide allocation of 130,000 acres for crop and hay and 30,000 acres for forest land. On the first go-round there were only 16,000 acres enrolled so they are doing a promotion for that. The average payment is about \$5-\$8/acre.

**Farm Service Agency – Deb Esselman, County Executive Director, reported:** Crop reports are coming in. There is a new crop disaster program called SURE. Producers still need insurance. 2008 payments are still being processed; values keep changing. DCP ends June 1. There will be a general CRP sign-up later. However, not much land is eligible in Taylor County and payment rates are low. 2012 Farm Bill hearings have begun in Pennsylvania there is discussion of having no direct payments. The Farm Program division of FSA may assist with the Farm Loan division. The Facility Loan Program has funds available, as do the Beginning Farmers and Socially Disadvantaged programs.

**Representatives to Pri-Ru-Ta RC&D and to NWLCA:** **MOTION** by Mildbrand/Purvis to approve Oberle as representative to NWLCA. **MOTION CARRIED.** **MOTION** by Mildbrand/Purvis to approve Soper as representative to Pri-Ru-Ta and Zenner as alternate. **MOTION CARRIED.**

**Oberle Performance Review:** Krug suggested delaying the review until the next meeting. Oberle commented that he would be happy to have Zenner sit in on the review when it is held. Krug suggested that Zenner do so with compensation. **MOTION** by Mildbrand/Purvis to include Zenner in the evaluation review. **MOTION CARRIED.**

**Next LCC Meeting ..... July 27, 2010**

**MOTION** by Peterson/Milbrand to adjourn at 12:10 p.m..

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Chair

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Date

## **TAYLOR COUNTY LAND CONSERVATION**

Minutes of April 19, 2010 Meeting

The monthly LCC meeting was called to order by Dave Krug at 10:00 a.m. The meeting was held in the UW Extension Meeting Room, County-USDA Service Center, Medford, Wisconsin. Members present were David Krug, Chairman, Scott Mildbrand, Donald Purvis, and Charles Zenner. Others present were Chris Borden, Pri-Ru-Ta RC&D Coordinator; Deb Esselman, FSA County Executive Director (after noon); Ed Zydzik, USDA-APHIS (until noon); Steve Oberle, County Conservationist; Kyle Noonan, LCD Engineering Technician (until noon); Matt Lapinski, LCD Resource Conservationist (until noon); and Cathy Mauer, LCD Conservation Assistant. Also present were Brian Gerrits, North Breeze Dairy; Brian Wilson, *The Star News*; Mary Williams, Wisconsin Assemblywoman, District 87 and Pri-Ru-Ta RC&D Council President.

**MOTION** by Zenner/Purvis to approve the agenda as amended to add under new business: Application and resolution for Target Runoff Management (TRM) Grant and 2010 Soil and Water Resource Management (SWRM) Grant needing Krug's signature.  
**MOTION CARRIED.**

**MOTION** by Mildbrand/Zenner to approve the March 23, 2010 LCC meeting minutes.  
**MOTION CARRIED.**

March 2010 bills were circulated for review, and the February 2010 budget analysis was distributed. **MOTION** by Zenner/Purvis to approve the bills and budget analysis as presented. **MOTION CARRIED.**

### **OLD BUSINESS:**

**2010 Northcentral Wisconsin Land Stewardship Conference recap:** The event was well attended, approximately 190 paid registrants plus speakers and staff. The conference about breaks even each year.

**Northbreeze Dairy (NBD) nutrient management plan (NMP):** Krug briefly summarized held March 31. The meeting was attended by Oberle, Krug, Gerrits, Lapinski, and Paul Sturgis (nutrient management planner for Crop Tech, which is contracted to do NMPs for Lake Breeze Dairy and NBD). Attendees reviewed what still needs to be done and the time frame and also went over Oberle's summary of the NMP for NBD.

Oberle stated that on April 13 he had emailed Gerrits and Sturgis; a copy of the email was enclosed with the LCC meeting packet. Gerrits' response was received after the meeting packet was distributed. Oberle distributed a copy of Gerrits response and stated that he had received a copy of the NBD sample contract. Oberle stated that the March 31 meeting was productive and gave him an opportunity to explain what he saw in the NMP. Krug mentioned that Gerrits brought a copy of the signed resolution (the one approved by the LCC at the February 12 meeting along with him today and that it had been signed by all the dairy partners and by four of the five LCC members. Gerrits stated that he also felt it was a good meeting and that he would be happy to attend another meeting if it would be useful. In response to a question by Krug concerning updates, Oberle stated that only the sample contract had been received and that he thought that Gerrits response indicated that NBD would not be updating the NMP. Gerrits said he didn't think it was necessary to completely update the NMP from 2010 to 2011. As part of a discussion concerning a 2010 vs. 2011 plan and the need for a complete revision, Gerrits reminded those present that an NMP is a constantly changing document, even if rewritten, due to changes in cropping, etc. and that the real question

is if NBD has enough land and if they know what they are doing. Mildbrand asked what would the difference be between a 2010 plan and a 2011 plan and if nutrients would be depleted if manure was not applied or the land was not cropped. Oberle replied that it would depend on what was applied in the past. Zenner asked if Bach would be using the fields if NBD was not. Gerrits said that was possible but that such use would be recorded in Bach's plan and reflected in the NBD plan. Oberle continued suggesting that a 2011 plan might be needed. Mildbrand pointed out that there was a catch 22, with NBD not being allowed to build until they had a plan and NBD not being able to develop an up-to-date plan until they have a facility. Gerrits mentioned that annual reports would record where manure was actually spread. Mildbrand said he understood that the plan (2010) was considered preliminary and that once there were animals and manure, then the plan would be reviewed and revised. Krug asked Oberle what he thought would be the difference between a 2010 plan and a 2011 plan. Oberle stated that his summary was for the committee to use in deciding on the plan. Zenner questioned what difference it made what date was on the plan, as long as the issues raised by Oberle were addressed. Mildbrand expressed concerns about differences between the plan and what might be actually spread if Bach used the land. In response to comments by Mildbrand and Zenner that it might be better if no manure were applied, Gerrits said that if manure were not applied, chemical fertilizer would be needed. Gerrits said that as long as they do not over apply and do not apply in areas where inappropriate, there should not be a problem. Oberle questioned approving an NMP before the plans and specs (for the facility) are approved. Oberle reiterated concerns about Steve Bach spreading. Mildbrand agreed with Zenner that while issues identified in Oberle's review need to be resolved, a new plan was not needed and once those issues were addressed, he would be satisfied. Oberle asked if once NBD has actual numbers, would the committee want an additional revised 2010 plan or if the numbers would be put into a 2011 plan. Zenner suggested that after actual numbers are available, the numbers would be put into a 2011 or even a 2012 plan. Oberle stated that the plan timing would be dependent on when manure would actually be spread. Gerrits questioned if Oberle would be satisfied regardless of what NBD gives him now. Krug emphasized that the plan is preliminary until there are actual numbers and that there will be a revised plan when the actual numbers are available. He said that what year is put on the preliminary plan is not too big an issue, but that the issues brought out in Oberle's plan review need to be addressed. Gerrits reiterated that NBD does not want to contaminate the waters of the county or over apply nutrients and that they want to abide by the setbacks. NBD has invited the LCD/LCC to work with them and has signed the resolution, which probably exceeds the authority of the county. Zenner asked if the LCC needs to deal with any of the issues. Gerrits stated that there were differences in opinion between Oberle and Sturgis on some issues. Oberle suggested that Gerrits and Sturgis could get together and submit a written response to the LCC concerning each issue. Zenner wondered if there were any deal breakers. Oberle mentioned the agreements [with landowners]. Krug, referring to the March 31 meeting, mentioned two issues: fitting the Bach plan into the NBD plan and 2010 vs. 2011. The agreements/land base availability were added as a third issue. Oberle asked if the response from Gerrits/Sturgis could be sent to Oberle ahead of the May 18 meeting so that he could send it to the LCC. Gerrits thought that would be possible.

**Contracts with landowners for NBD facility:** Krug noted that the signed resolution includes the term "signed contracts". The committee discussed sample contracts that Bach uses and what information should be included in landowner agreements/contracts. Acres, rental years, and location were some items mentioned. Location could be defined using FSA maps with field boundaries and township, section. Krug noted that there were not many landowners. Zenner suggested that if someone did not want to sign, verification by phone could suffice. Oberle referred to his summary of the NBD NMP and

the table listing agreements/contracts and stated that the landowner contact list should be consistent with the contracts/agreements. He stated that information should allow verification that the contracts were valid and current. Gerrits suggested that this had already been done. Oberle responded that the contracts did not have the needed information. He went on to question the dates that were listed. However, Krug noted that the date listed in the NBD document was the date signed, not the term of the agreement. Mildbrand noted that the table had the start year and if it was for a definite term or year-to-year and that this looked fine with him. In response to Oberle's continued questioning concerning agreement time frames, committee members explained that some contracts might be for a definite term, some might be year-to-year, and some might be verbal. Gerrits asked if NBD was being treated differently than other facilities. He stated that Bach would need to give a list to NBD so they would know they have a place to spread and that the list would be updated yearly. Zenner asked Oberle if other landowners were expected to have agreements and stressed that it was necessary to treat all landowners the same. Purvis said in some cases NBD was not actually renting land but rather just spreading manure on the land. There would also need to be a way to verify the availability of such land. Oberle said that he would not need a new signed agreement every year. The committee discussed a draft landowner agreement distributed by Lapinski. In response to a question by Mildbrand about landowner willingness to sign an agreement, Purvis pointed out that FSA requires landowners to verify that they are renting to operators. Oberle asked if people whose land is being spread on know where, when, and how much manure is being spread. Gerrits responded that Bach and Sturgis would be taking care of that. Gerrits questioned how fields that were not rented but only had manure being spread would be handled. Discussion followed on how an agreement form could be worded to include both rental and non-rental situations. Oberle suggested that the committee postpone a decision on the agreement form, review it on their own time, and send their input to the LCD before the next meeting. Gerrits said that the issue was availability for manure spreading, not rent. Zydzik asked if many people wanted manure. Gerrits replied that some were asking and that he expected more once the controversy over the dairy abated. **MOTION** by Zenner/Mildbrand to table action on the contracts/agreements. Wilson asked for clarification that Gerrits would need to go back to landowners who were already on their list of contracts and ask them to sign another form. Zenner pointed out that the LCD would then need to go back to other facilities with NMP contracts. Discussion followed concerning grandfathering in past NMPs. **MOTION CARRIED.**

## **NEW BUSINESS:**

### **Reports**

**Land Conservation Department – Steve Oberle, County Conservationist, reported:** Oberle submitted the 2010 Soil and Water Resource Management Grant agreement for Krug's signature. The grant is for a total of \$274,312 with \$140,388 for staffing and \$133,924 for cost-share, including 2009 extensions and 2010 new money.

The LCD is applying for a TRM Grant for the Weiroch property near Miller Dam. The grant would cover a barnyard and milk house effluent. A resolution is needed as part of the grant application. The resolution would delegate authority to Oberle for applying for and administering the grant. **MOTION** by Purvis to approve the resolution delegating authority to Oberle. Discussion of the wording of the resolution followed. **MOTION WITHDRAWN** by Purvis. **MOTION** by Mildbrand/Zenner to approve the resolution as amended to strike the County Board of Supervisors and replace with the LCC. **MOTION CARRIED.**

**Wildlife Damage Program – Ed Zydzik, USDA-APHIS, reported:** Zydzik worked on deer removal in a tuberculosis area in Minnesota. He is working with the National Park Service to remove deer from two islands in the Apostle Island National Lake Shore. Starling removal at Patrick Fur Farm was quite successful and created interest among other mink ranches. Zydzik is working with Adrian Wydeven of WDNR to collar wolves. This is of benefit to APHIS in control efforts. There is enough funding this year to pay claims. The state now has control of goose permits rather than the US Fish and Wildlife Service. Zydzik was a presenter at the recent Land Stewardship Conference. APHIS assists towns and private citizens with beaver control; there is a charge for this service.

**Farm Service Agency – Deb Esselmann, County Executive Director, reported:** DCP signup is going on now; the sign-up deadline is June 1. The BCAP (Biomass Crop Assistance Program) was a disaster. Under the program loggers were being paid for selling to companies using biomass. The application process was suspended due to limited availability of funds. Another phase of biomass payments, which will pay farmers to raise biomass, may be started. FSA is still working on 2008 and 2009 disaster payments. Although 2009 drought losses came under the program, many were not insured and are therefore not eligible. Under a new revenue-based program for disaster payments, all crops, including hay, must be insured. FSA is swamped with farm loan applications. Milk prices are still bad. There are no new programs. July 15 is the crop reporting deadline. Many crops are going in, but it is very dry. FSA is supposed to get new imagery this year. The new software for making payments is finally working.

**Pri-Ru-Ta RC&D – Chris Borden, Coordinator reported:** NRCS has approximately \$400,000 available for EQIP cost-sharing in Price and Taylor Counties. Pri-Ru-Ta has hired Dale Peacock as the new grazing specialist for Douglas, Ashland, and Bayfield Counties. They have applied for grants to cover the grazing specialist positions through 2012. The Wisconsin Grassfed Beef Cooperative is receiving technical support from Pri-Ru-Ta. Beef is being sold under the Grassmeadow Beef [correct name is Wisconsin Meadows™ Grass-fed Beef] label; there is a high demand. New farmer training is being held with various entities, including Lake Superior Sustainable Farming. Mary Williams commented that drive-time will be an issue for the new grazing specialist in the northern counties. In response to a question from Oberle, Williams replied that two groundwater bills were not yet on the legislative calendar and that she has some issues with the bills. Borden said there was a lack of an up-to-date geological and groundwater database for this area.

**Concerning the bills and budget,** Mildbrand had a question concerning the NMP cost share of 50% and wondered if that was reviewed yearly. Oberle replied that the funds came from various programs and pools of money.

**County Conservation Aids Program resolution:** A resolution was need to transfer administrative authority for the County Conservation Aids Program from the Department of Forestry and Recreation to the LCD. The LCD has been administering the program for at least ten years, and a new staff person at DNR has requested an update to the paperwork. **MOTION** by Zenner/Mildbrand to approve transfer of the administrative authority. **MOTION CARRIED.**

**Abbotsford Workshop on WPDES Permitting and NMPS:** The workshop was attended by several LCC members, who had positive comments. Mildbrand mentioned that DNR has increased their oversight of NMPS. Both Krug and Zenner commented that Matt Zoschke, Clark County Conservationist, looks only at NRCS 590 Standard compliance, not NR 243 compliance, and relies on DNR. Oberle has an issue with that

approach. Mildbrand had a question about adding NR243 requirements to Chapter 63 of the County Code, where applicable. Oberle said that if NR243 is applicable, Taylor County would get the same plan as DNR. Gerrits commented that there was not enough money in the DNR budget to check that plans are being followed and that the DBA (Dairy Business Association) is supporting a licensing fee for CAFOS to pay for inspections. Zenner commented that Andrew Craig said that CAFOs are unlikely to violate due to costs or possible shutdowns.

**Nutrient Management Plan Incentive Program:** Oberle presented a proposal for a new incentive program to encourage nutrient management planning. Funding would come from previous grants; about \$15,000 is left. The new program would be an incentive program, not a cost-share. Only acres without past cost-share or incentive payments would be eligible. Both soil and manure samples would be covered at 75% cost-share. An NMP would be required before payment would be made. There would be a maximum of 1000 acres per applicant. Yearly updates would be required by March 31. Acres on which payments were made would no longer be eligible for future payments. A notice of compliance would be issued, which would require landowners to stay in compliance. On rented land the operator would receive the incentive payments.

**Correspondence:** *Thursday Note;* Land and Water Board Meeting Announcement/Agenda including future LCD funding.

**Other Business:** In response to a question from Krug concerning the timeline for NBD, Gerrits replied that the NBD Site Plan was expected by the end of May.

**Next LCC Meeting ..... May 18, 2010**

**MOTION** by Zenner/Purvis to adjourn at 1:05 p.m.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

## **TAYLOR COUNTY LAND CONSERVATION**

Minutes of March 23, 2010 Meeting

The monthly LCC meeting was called to order by Dave Krug at 10:00 a.m. The meeting was held in the Taylor County Board Room, Taylor County Courthouse, 224 S. 2<sup>nd</sup> St, Medford, Wisconsin. Members present were David Krug, Chairman, Scott Mildbrand, Tim Peterson, Donald Purvis, and Charles Zenner. Others present were Steve Oberle, County Conservationist; Kyle Noonan, LCD Engineering Technician; and Cathy Mauer, LCD Conservation Assistant. Other County Board members, media, and members of the general public were also present.

**MOTION** by Mildbrand/Zenner to approve the agenda as revised to add reports under new business. **MOTION CARRIED.** Krug also clarified that there had been an amended agenda posted on March 22, after the original agenda had been posted.

**MOTION** by Mildbrand/Peterson to approve the February 12, 2010 LCC special meeting minutes. **MOTION CARRIED.**

**January 15-March 22, 2010 bills** were circulated for review, and the January budget analysis was distributed. **MOTION** by Peterson/Zenner to approve the bills and budget analysis as presented. **MOTION CARRIED.**

### **OLD BUSINESS:**

**North Breeze Dairy resolution:** Krug reviewed the events related to the North Breeze Dairy (NBD) Chapter 63 permit application. An amended resolution, which was offered to resolve issues related to use of Lake Breeze Dairy (LBD) nutrient values in the preliminary NBD nutrient management plan (NMP) rather than "book" values and which was approved at the February 12 LCC meeting, was sent to North Breeze Dairy for review and approval by the owners. While in general agreement, the owners thought it would be wise to have their attorney, David Crass, review the amended resolution. Crass proposed several changes, which were submitted to the LCC. Krug offered three possible options as to how to move forward. Option 1 was to accept no changes to the amended resolution. Option 2, which was Krug's choice, was to consider the changes proposed by Crass. Option 3 was to go back to square one, i.e. to withdraw the resolution and to consider Lake Breeze values as included in the original preliminary NMP and the later use of NBD values when they became available. Krug reiterated that the resolution was developed as an attempt to bridge the gap until actual data was available from NBD. He asked if there were any other options. Mildbrand stated that the intention of the resolution was to give more protection to Taylor County than just use of the LBD values. **MOTION** by Mildbrand/Peterson to go with Option 2 and go over the NBD proposed changes one at a time. **MOTION CARRIED.** Discussion followed. Oberle asked if Option 3 included the possibility of holding NBD to book values. Krug affirmed that it did. Zenner preferred Option 1, stating that the LCC had compromised enough and that NBD had already had a chance for input. Mildbrand asked for clarification that Option 1 would not remove the resolution that was passed on February 12, with which Zenner agreed. Mildbrand stated that he had talked to a supervisor from the Town of Little Black whose only objection was to number 9, "NBD retains all rights and defense to contest such alleged violations or non-compliance." Zenner pointed out that they had those rights anyway. Purvis stated he was not for the resolution but agreed with Zenner. He preferred going back to square one using the book values. Krug mentioned a phone conversation with Brian Gerrits and that he would be fine with Option 1 or 2. Mildbrand clarified that Option 1 was staying with the resolution that was passed on February 12 and that he agreed with Zenner about Option 1. Krug pointed out that Option 2 is under discussion. Mildbrand **RESCINDED MOTION** and Peterson agreed to rescinding. **MOTION** by Zenner/Mildbrand to go with Option 1 and take the resolution as adopted by the committee on February 12. **MOTION CARRIED** on a unanimous roll call vote.

Mildbrand requested moving consideration of the agenda item dealing with ordinances and that he is concerned about LCD authority to implement fines. He said there had been a suggestion of increasing penalties for non-compliance under Chapter 63, but he did not want further burden farmers in Taylor County. He said he would like to explore a special NBD ordinance that would apply just to them. The ordinance would cease to exist once they got to full capacity, because the resolution would cease to exist at that time. Peterson stated that ordinances could not apply just to one entity and that if NBD agreed to the fines in the resolution by signing the resolution, that was all that was needed. In response to a question by Mildbrand, Krug stated that Steve Anderson, County Corporation Counsel, that there might be problems enforcing the penalty without proper ordinance backing by the county. According to Peterson, Zenner, and Krug, one way to address the issue would be to change the fines in the ordinance, from \$100/day to \$1000/day. **MOTION** by Mildbrand to instruct Anderson to look into how the committee could enforce the penalty. Neil Micke, member of general audience representing the Town of Little Black, stated he thought the resolution would suffice. Peterson and Zenner agreed. Mildbrand **RESCINDED MOTION** to ask for more information from Anderson. Krug asked for motion to send resolution of February 12 to NBD. Peterson made clear that NBD's choice should be either Option 1 or the consensus of August 18 to use book values. **MOTION** by Zenner/Peterson to that if NBD does not accept resolution of February 12, the LCC would go back to use of book values. **MOTION CARRIED.**

**Review of Oberle's summary of the North Breeze Dairy Preliminary Nutrient Management Plan:** Oberle reviewed his final summary of the NBD NMP. He stated that land base availability is the issue. He also noted that attachments to his summary included a landowner contract list and an agreement example. Oberle expressed concern about contracts that may have expired and about written or verbal agreements. Krug asked if signed contracts had been required for other NMPs. Oberle replied that they had not been required. Zenner suggested verification from landowners that acres were available and that written verification would be preferred but that verification over the phone would be acceptable. Discussion followed. Verification would include acres and the time frame of availability. Micke (Little Black) stated that NR243 requires showing agreements and that the attached agreement example was satisfactory to the Town of Little Black and tentatively approved by WDNR. Zenner questioned distance of hauling in some agreements and whether someone would go thirty miles; Milbrand stated that he has talked with haulers who go that far. Oberle discussed hauling by Steve Bach and how one would tell where manure came from if there were a manure incident. Krug pointed out that there will also be other haulers involved. Peterson stated that WDNR will keep an eye on how much they are spreading and where they are spreading. He also stated that NBD will have to find enough acres to spread it on or give it away to someone who can use it. Oberle stated that he needs to know if there is enough land for both NBD and Steve Bach's facilities. Krug agreed with that but pointed out that both use the same planner. Mildbrand suggested a meeting among Oberle, Noonan, and Paul Sturgis (NBD nutrient management planner). Oberle said there was a meeting scheduled for March 31 with Gerrits, Oberle, Sturgis, Noonan, and Krug. Oberle asked if Bach should be there. Zenner said Bach's facility is in Clark County. Peterson pointed out that this is an issue relative to NBD and that Sturgis is the planner for both NBD and Bach. Krug stated that he and Oberle agreed that a representative of Little Black could be there, as well. Zenner asked if Oberle needed more input from the committee. Oberle asked what the decision was relative to signing of agreements. Zenner said that since signed agreements had not been required for other facilities it would be a problem to require them from NBD, but that at least verbal agreements would be good. Discussion followed. Peterson then said if it were done with NBD, it would have to be done with everyone. Micke said this was a start-up and perhaps start-ups could be treated differently. Zenner said he liked the idea of a form and that if it was not signed, someone could then call. Oberle had questions about the table of landowner contacts and the dates used.

Oberle reviewed the Field Information section and pointed out that despite correcting problems from the first NMP draft, some areas still need corrections. He also pointed out that some fields are subject to high soil loss though they meet T (tolerable soil loss) and that those fields should be watched. Mildbrand suggested that NBD could be asked to be pay special attention to those fields. Krug wondered if additional conservation measures should be required on those fields. In response to a question by Krug, Oberle stated that the LCD would be responsible for addressing problems. In the Soil Sampling and Testing section, Oberle pointed out that some fields had outdated soil samples and that NBD had not followed the protocol in addressing all of those instances and that he was not always able to verify that there was one soil test per five acres, as required. Under the 590 Assessment section Oberle pointed out that one field had a Phosphorus Index (PI) greater than 6, which is high; that field will have to be treated to bring the PI below 6. In response to a question from Mildbrand about whether this was the same as the phosphorus level shown in a soil test, Oberle replied that additional data goes into the PI. Under the Manure Spreading section, Oberle stated that he wants Bach's spreading history and that the spreading information for 2009 was not available when WDNR gave its preapproval of the NBD NMP but that it is now available but wasn't yet incorporated into the plan. Oberle stated that permitted facilities must file an annual report by January 31. Oberle stated that some fields have residential and industrial spreading, but that fields can receive manure from multiple sources as long as the allowed amount is not exceeded. In discussing the Maps and Restrictions table, Oberle pointed out some inconsistencies, e.g. the table and map don't match relative to spreading restrictions and that he tried to point out those areas. Krug stated that Gerrits expressed concern that these areas be identified so drivers would know where they could and could not spread manure.

Oberle discussed an attached letter from Byron Shaw, consultant to the Town of Little Black, in which some data indicates that Pine Creek, downstream from the proposed NBD site, may qualify as an Impaired Water. Oberle wondered what the process is to put a waterbody on the Impaired Waters list. Oberle said that WDNR has authority to do monitoring that LCD does not have. Zenner asked what it would take to get WDNR and Oberle to work together on monitoring; Oberle responded that it would take time and money. He suggested that monitoring after NBD starts operation could fall on the dairy.

Krug stated that there was still a lot of work to be done between the LCD and NBD and that if progress was not made, it would come back to the LCC. Oberle wondered if the LCC would be asking for another revised plan before NBD has its own manure. Mildbrand said it would be after NBD has its own manure. Zenner agreed. Oberle stated it would still come down to if the LCC approved the NMP. Following discussion of the need for and timing of a revised plan, Krug pointed out that the language in the manure ordinance is "preliminary" NMP and that the issues that Oberle pointed out could be addressed without a whole new plan. Noonan suggested that it could be 2012 or fall 2011 before any manure is spread. Zenner suggested that the LCC did not need to take any action on the NMP at this time. Krug said the LCC would need to look at issues being addressed and that the LCC would need to approve the preliminary plan as part of the permit process. The LCD has not yet received the revised Plans and Specifications from NBD's engineering firm.

### **NEW BUSINESS:**

**2010 Northcentral Wisconsin Land Stewardship Conference:** As of Monday, March 22, 125 people have registered for the conference, which will be held April 10 in Prentice.

**2010 Taylor/Price County Tree/Shrub Sale:** Mauer stated that approximately 15,000 trees and shrubs have been sold to about 150 buyers so far.

**Taylor County Land & Water Resource Management Plan (LWRMP) update:** Each county is required to have an LWRMP in order to qualify for Soil and Water Resource Management Grant funds from the state. Taylor County's first plan was approved in 2000. It was updated in 2005 and an update is required this year. The LCD will be doing the revision in house, rather than using a consultant as in the past. Only minor changes are expected. A

planning committee was used in the past and members will be sent a letter to find out if they are interested in participating in the new revision.

**2011 Joint DATCP/DNR Soil and Water Resource Management (Nonpoint Source)**

**Grant application:** The application is due April 15. Oberle is requesting \$195,275 for staffing and planning and \$164,000 (\$150,000 for the Conservation Assistance Program and \$14,000 for Nutrient Management Planning through SEG funds) for cost share practices. The NMP SEG funds require a four-year contract at \$7/acre/year (\$28/acre/4 years). Oberle stated that it would be nice if the farmers had a four-year contract on the land, as well, if renting. Oberle would also like to apply for a Targeted Runoff Management (TRM) grant.

**MOTION** by Zenner/Purvis to approve the SWRM grant application and to give Oberle permission to apply for the TRM grant. **MOTION CARRIED.**

**Revisions to Chapter 63, Taylor County Animal Manure and Nutrient Management**

**Ordinance:** Oberle said that proposed revisions to Chapter 63 will be submitted to the County Board for its April 20 meeting.

**LCC 2010 Meeting Calendar:** Oberle suggested that meeting every other month was not enough while dealing with issues related to North Breeze Dairy. The committee concurred and the next meeting was set for Monday, April 19 at 10:00 a.m. in the Ag Center.

**Correspondence:** *Thursday Note*, March 18; environmental hearings on karst bill and groundwater quantity bill

**Future meetings/events:** **MOTION** by Mildbrand/Purvis to approve all meetings below.

**MOTION CARRIED.**

**Next LCC Meeting ..... April 19, 2010**

**MOTION** by Mildbrand/Purvis to adjourn at 12:04 p.m.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

## **TAYLOR COUNTY LAND CONSERVATION**

Minutes of February 12, 2010 Meeting

A special meeting of the LCC was called to order by Dave Krug at 10:00 a.m. The meeting was held in the County Boardroom in the Taylor County Courthouse, Medford, Wisconsin. Members present were David Krug, Chairman, Scott Mildbrand, Tim Peterson, Donald Purvis, and Charles Zenner. Others present were Ed Zydzik, USDA-APHIS; Steve Oberle, County Conservationist; and Cathy Mauer, LCD Conservation Assistant, who served as Recording Secretary. Members of the news media and public were also present.

**MOTION** by Mildbrand/Zenner to approve the agenda as distributed and posted. **MOTION CARRIED.**

**MOTION** by Mildbrand/Peterson to approve the January 19, 2010 LCC meeting minutes. **MOTION CARRIED.**

### **OLD BUSINESS:**

Review of North Breeze Dairy's (NBD) request to reconsider the willingness of Taylor County to accept the use of manure values from the Lake Breeze Dairy (LBD) facility in reviewing the permit application for the North Breeze Dairy. Klug noted that while one agenda item was a possible closed session if consultation with county legal counsel was desired, he did not expect that it would necessarily take place.

Krug mentioned correspondence from Dan Hoffman, Chairman of the Town of Little Black (TLB), which was a copy of a letter to the Wisconsin Department of Natural Resources, requesting an Environmental Impact Statement (EIS) before state permitting of NBD along with a copy of a petition that had received more than 1500 signatures from Little Black and other areas. A copy of the letter had been sent to all committee members. Mildbrand asked if an EIS was still possible. Hoffman, who was present in the audience, commented that the County Board had supported an EIS in a unanimous vote and that State Representative Mary Williams and Senator Russ Decker had submitted letters to WDNR requesting an EIS.

Krug announced that the meeting would not include an open forum but that there would be an opportunity for representatives from NBD and TLB.

Krug reviewed the history of the issue at hand re NBD, noting that it revolves around discussion of the use of LBD manure analyses vs. so-called "book values". At the August LCD meeting there was a consensus to use "book" values, but no vote was taken. In November the LCD received a request from NBD to reconsider the use of LBD manure analyses rather than "book" values. Because the LCC did not receive the NBD NMP prior to the December 16<sup>th</sup> LCC meeting, no decision was made on the issue at that meeting. Due to the issue not being included as an action item on the agenda for the January 19<sup>th</sup> meeting, no action could be taken at that meeting.

**MOTION** by Zenner/Mildbrand to approve a 4000 cow facility at full book value. Mildbrand asked to submit a resolution amending the motion and made a MOTION to amend Zenner's motion. Mildbrand had discussed the issue with Andrew Craig, WDNR, and Mike Murray, WDATCP, both of whom assured him that there would be adequate protection using LBD values, as used for the approval of the preliminary NBD NMP by WDNR. Peterson called a point of order stating that a vote must first be made on the Zenner motion. Anderson agreed, and a roll call vote was called on Zenner's motion. Zenner and Purvis voted in favor; Krug, Mildbrand, and Peterson voted against. **MOTION FAILED.**

**MOTION** by Mildbrand/Peterson for a resolution, which had been distributed to committee members.

Krug discussed the origin of the resolution, which was based on a suggestion from an earlier meeting. Krug and Mildbrand worked on the resolution and also discussed it with Gerrits and

Oberle. Mildbrand, continuing his earlier statement that the WDNR approval of the NBD NMP would provide adequate protection of the soil and water of Taylor County, stated that more protection would be desirable. Noting that "book" values had been debated for months, Mildbrand stated that while there was probably agreement that actual values would be better, the resolution would hold NBD to "book" values for 2800 animals [the resolution actually stated that LBD values could be used for 2800 mature dairy cows] until actual values could be confirmed, and require more local control to test it. According to Mildbrand, the resolution would require NBD to have 1.89 acres/animal rather than the 1.32 acres required by WDNR's preliminary approval. The resolution would provide only a preliminary approval. NBD would still be required to verify field locations and land availability. Once actual values are available, the LCC would be more able to make an informed decision as to application rates and if NBD has enough land or not. Mildbrand felt there had to be a way to bridge the book values and get to actual values, and that the resolution would do that.

The resolution (attached), as submitted by Mildbrand, was read.

Zenner questioned the use of the term 'resolution'; Anderson said the term was fine.

Zenner presented amendments (attached) to the resolution/motion that was presented by Mildbrand.

Purvis asked why NBD chose to use LBD values. Gerrits answered that WDNR stated that they could use comparable values. Zenner questioned that if Taylor County wanted full book values, why not use them? Gerrits replied that WDNR is the governing agency. Mildbrand asked if it was correct that before manure is spread, another NMP will have to be done with DNR using the actual values. Sturgis clarified that the NMP had been approved as part of the preliminary WPDES permit process. There would not necessarily be a new NMP, but that amendments are regularly made to NMPs. Mildbrand asked if NBD could need more land, if the values came back [indicating that]. Sturgis replied that was possible. Sturgis stated that not every acre was used every year, including row crop acres, though all acres were planned for.

Zenner went through his proposed amendments one at a time with discussion and motions of approval following each amendment.

**MOTION** by Zenner/Mildbrand to approve amendment to Paragraph 3, Line 3: *after 'feed rations', "maintained to be true by the applicant and maintained to be true by email and phone calls by the applicant to the WDNR".* **MOTION CARRIED.**

**MOTION** by Zenner/Mildbrand to approve amendment to Paragraph 6, Part 1: *Change 4000 cow herd to 5600 Animal Units, change 2800 mature cows to 3920 Animal Units.* **MOTION CARRIED.**

**MOTION** by Zenner/Mildbrand to approve amendment to Paragraph 6, Part 4: *Adjustments must be made to account for precipitation.* Zenner and Purvis voted in favor; Krug, Mildbrand, and Peterson voted against. **MOTION FAILED.**

**MOTION** by Zenner/Mildbrand to approve amendment to Paragraph 6, Part 5: *add after 'land acres available', "with signed contracts submitted to the LCD staff".* Discussion followed. Anderson reminded the committee that the question under consideration is not approval of the NMP or the available acreage, but rather the manure nutrient values that would be used for the NMP. Krug, Mildbrand, Purvis, Zenner voted in favor. Peterson voted against. **MOTION CARRIED.**

**MOTION** by Zenner/Mildbrand to approve amendment to Paragraph 6, Part 6: *Change 4000 mature cows to 5600 Animal Units, change 4000 cow to 5600 Animal Units.* **MOTION CARRIED.**

**MOTION** by Zenner/Mildbrand to approve amendment to Paragraph 6, Part 7: *Change mature cows to Animal Units.* **MOTION CARRIED.**

**MOTION** by Zenner/Mildbrand to approve amendment to Paragraph 6, Part 8: *Change penalties of one thousand (\$1000) to \$7.50 per Animal Unit per day over 3920 Animal Units.* **MOTION CARRIED.**

**MOTION** by Zenner/Mildbrand to approve amendment to signatures: *The agreement should be signed by the entire Board of Directors of NB-LB including Mr. David Crass as their legal representative.* Following discussion and input from Gerrits and Anderson, Zenner revised his motion, deleting "*including Mr. David Crass as their legal representative.*" The new amendment to signatures reads: *The agreement should be signed by the entire Board of Directors of NB-LB.* **MOTION CARRIED.**

Additional discussion followed, including concern by Oberle about LBD data that had or had not been submitted to the LCD or LCC; a question to Anderson from Zenner if agreement to the resolution would be binding on the LCC to approve the NMP (to which Anderson explained it would not be binding); cattle population at the facility; and sampling protocol as listed in Paragraph 6, Part 4. **MOTION** by Zenner/Mildbrand to remove 'or' in "*Storage Basin #1 and/or Storage Basin #2*". **MOTION CARRIED.**

Steve Suchomel addressed the LCC on behalf of TLB, and Gerrits spoke on behalf of NBD. Dan Miskulin, from TLB also commented.

Peterson called for the question on the Mildbrand/Peterson motion to approve the draft resolution, now amended. On a roll call vote, Purvis voted no, Peterson, Zenner, Mildbrand, and Krug voted yes. **MOTION CARRIED.**

**NEW BUSINESS:**

Ed Zydzik, USDA-APHIS Wildlife Damage Specialist presented 2009 Wildlife Damage Program payment claims for Keith Skabroud for \$1594.65 and for Mike Brandner for \$1399.23. **MOTION** by Zenner/Peterson to approve claims as presented. **MOTION CARRIED.**

**Correspondence:** Copy of letter from Dan Hoffman, Chair of the Town of Little Black, to the Wisconsin Department of Natural Resources (WDNR) requesting that WDNR require an Environmental Impact Statement as part of the North Breeze Dairy application for a WPDES permit.

**Next LCC Meeting ..... March 16, 2010**

**MOTION** by Zenner/Mildbrand to adjourn at 12:05 p.m.

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Chair

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Date

## **TAYLOR COUNTY LAND CONSERVATION COMMITTEE**

Minutes of January 19, 2010 Meeting

The monthly LCC meeting was called to order by Dave Krug at 10:05 AM. The meeting was held in the UW-Extension Meeting Room, County-USDA Service Center, Medford, WI. Members present were David Krug, Chairman; Scott Mildbrand, Donald Purvis, Tim Peterson and Charles Zenner. Others present were Brian Gerrits, partner in North Breeze Dairy, LLC (NBD); Steve Anderson, Taylor County Corporation Counsel; Paul Sturgis, CROPTECH Agronomics LLC, nutrient management plan (NMP) writer for NBD; Lanice Szomi, Pri-Ru-Ta RC&D; Robert Plawski, NRCS District Conservationist; Steve Oberle, County Conservationist and Ed Zydzik, APHIS. Members of the public and press were also present.

Chairman Krug amended the agenda by moving item 7E Review/discuss North Breeze Dairy's (NBD) nutrient management plan issues and to allow public input under Old Business.

**MOTION** by Peterson/Mildbrand to approve the agenda as amended. **MOTION CARRIED.**

**MOTION** by Zenner/Mildbrand to approve the December 16, 2009 LCC Special Meeting minutes. **MOTION CARRIED.**

November 2009-January 2010 bills were circulated for review and November 2009 budget analysis was distributed. **MOTION** by Zenner/Peterson to approve the bills and budget analysis as presented. **MOTION CARRIED.**

### **OLD BUSINESS:**

Chairman Krug said they would start out with public input on the North Breeze Dairy's NMP plan issues. Comments would be limited to 3 minutes. Brian Gerrits, of Lake Breeze Dairy (LBD) and North Breeze Dairy (NBD) started. He defended the values used in the nutrient management plans for NBD, saying that the diet fed to the cows at NBD will be identical to the present diet at LBD. The manure nutrient values used to draft the NMP plan were from LBD, not "book" values. Gerrits also mentioned that the revised plan has been approved by Andrew Craig of WI-DNR and has met the standards set forth by WI-Department of Agriculture, Trade and Consumer Protection (DATCP). Gerrits assured that the manure will be applied to fields in the proper manner. The NMP is just a plan. Once the dairy starts to produce manure, samples can be taken, true nutrient values can be formulated and the subsequent spreading requirements can be adjusted. Gerrits re-emphasized that he'd like to develop a trust relationship with the Township and earn the respect of the citizens. He invited the LCC members and Oberle to come out and supervise the sampling process and even help calibrate the spreading. Gerrits asked that the committee work with NBD, not against them.

Neil Micke, appointed spokesperson for the Town of Little Black, read a prepared statement (Attachment 1) that reflected the concern of the residents over the need for NBD to have enough land to properly dispose of their manure and not allow the current NMP plan to go through at 30% below the standard. "The North Breeze Nutrient Management Plan as submitted will result in insufficient acres for manure disposal, thereby not protecting the waters of Taylor County."

Other members of the crowd were allowed to voice their concerns/opinions.

Chairman Krug asked Oberle for his input on the revised NBD nutrient management plan that was submitted. Oberle had sent a review to the LCC members prior to this meeting. Oberle read part of the Summary & Conclusions portion of his report (attachment 2). The summary referred to UW and NRCS 590 guidelines for sampling and the estimated credits, based on book values. Since NBD is using Lake Breeze Dairy numbers in their current NMP – the summary goes on to say that "based on the data presented, there exists a great deal of uncertainty as to the validity of the LBD manure nutrient values and whether or not LBD values accurately reflect the actual, total manure nutrient loading to LBD fields. In addition, it is largely speculative, and thus premature, to assume that LBD and NBD manure

management systems are "very similar," when the initial system plans for NBD were rejected by state and local authorities, and the revised plans for NBD have not been submitted or approved."

LCC member Chuck Zenner asked Gerrits if he will be charging for the manure that will be spread on neighboring fields that NBD doesn't have rental agreements with. Gerrits said there will be a charge. Zenner suggested that NBD waive any charge to gain trust and be that "good neighbor." NBD is looking to start construction in Spring of 2010, having cattle in September/October of 2010, with the first loads of manure available for sampling/spreading in the Spring of 2011.

The issue of not enough land being secured by NBD for spreading by the time they need it keeps coming up. LCC member Scott Mildbrand talked with Andrew Craig of the WI-DNR about why NBD's NMP plan was preliminarily accepted with LBD numbers. Samples will need to be taken at NBD to determine actual values and the plan can be adjusted. Until then, no spreading should be done until actual samples are taken. Adjustments may include more land or different crops. Mildbrand was assured that NBD cannot overspread on a parcel of land and if they are in violation, they will be fined and will need to get more land.

Paul Sturgis, NMP writer for NBD, said the dairy planned to spread manure on all available spreading acres. His numbers reflect a negative number, so there actually is more land than gallons of manure available. So, there is some wiggle room in the plan and it will be more accurate once data/samples from the lagoons are available.

Discussion on how the land included in the plan will be utilized by Bach Farms LLC now and then converted to NBD's NMP. Concern was expressed over land being "doubled up" between the two dairies and the land could be overspread. Sturgis, also is the NMP writer for Bach Farms, LLC, mentioned that Bach's NMP is available for review through the DNR as public record.

Chairman Krug was going to ask for a motion from the LCC on the North Breeze Dairy NMP, but Taylor County Corp. Council Anderson, stated that no action can be taken since the agenda listed the issue as review/discussion only.

Chairman Krug moved on with the Old Business. Oberle reported that the 2009-201 Nutrient Management Classes were going well with Taylor County having 10 participants. This program is held in partnership with Northcentral Technical College. Local producers are taught how to write their own NMP. If their plan meets the standards, they can write their own NMP for three years.

### **NEW BUSINESS:**

Reports

**Natural Resources Conservation Service – Bob Plawski, District Conservationist, reported:** the Fall 2009 Conservation Stewardship Program (CSP) sign-up period ended 11/14/09. Taylor/Price counties had 13 applications approved. Three were for forestry practices, averaging 48-82 acres and the remainder were for crop/pasture land that averaged 101-375 acres per application. Annual payments are made to the landowners for the 5-year contract. The program awards them for practicing conservation. Current applications are receiving an average of \$16-18/acre for forestry and \$18-21/acre for crop/pasture land. There is a continuous CSP sign-up now going on for 2010. Environmental Quality Incentive Program (EQIP) sign-up will run from 1/19-2/19-10. Postcards were sent out. The cost-share rates have gone up, closer to 75% of actual costs. This may result in less contracts, but better local land use. Crop and pasture land are ranking within local pools, but waste storage & barnyards are in the area pool for ranking. Wetland Reserve Program (WRP) last years applications may be funded. EQIP has a new practice for "High Tunnel or Hoop Houses." Participants must meet the eligibility requirement of producing \$1,000 of income and the structure must be on established cropland with FSA records. Current cost-share is \$1.86/sq. foot up to 2,175 sq. feet.

**Wildlife Damage Program - Ed Zydzik, APHIS, reported:** Wolves are protected yet. WI bear kills are up 30% and more tags will be available. There will be a special gun deer

"Soldiers Hunt" till September in WI. Ed has heard many comments/complaints about the deer herd numbers. Ed reminds them about the public meetings and to attend them to be heard.

Ed would like to set crop damage prices today for corn and mixed hay. Current price is corn at \$3.67/bushel and mixed hay at \$100/ton. These prices are based on a 12-month average. **MOTION** by Zenner/Mildbrand to approve the price for wildlife damage claims on corn at \$3.67/bu and \$100/ton for mixed hay. **MOTION CARRIED.**

Ed reported that 19 deer were donated to through the Deer Donation program which resulted in 583# of meat going to the local food bank. Discussed how the program needs to be reformed to better use tax payer dollars. There is one Christmas tree damage claim by deer browse in Taylor County. Ed will also look into a starling problem at a \_\_\_\_\_(Mike Patrick's) local mink ranch. Damage claims need to signed and in to the State by March 1, 2010. May need to get Krug's signature if no meeting is held prior to deadline.

**Pri-Ru-Ta RC&D Council – Lanice Szomi, Project Manager, reported:** The Stetsonville Grazing Conference will be Thursday, March 11 with national speaker Greg Judy discussing "mob grazing." Judy will be traveling through northcentral WI to speaker at 4 other grazing conferences. Work is being done on a website for Soil Data Viewer that will be targeted towards civil engineers and others that can make better planning decisions by utilizing the NRCS soils data. The Council is currently looking for a grazing specialist in Ashland, Bayfield, Iron and Douglas counties.

**Northwest Land & Water Conservation Association (NWLCA):** Oberle stated that the state organization, WLWCA is in financial hardship. They have requested a special assessment from the counties. Taylor's is \$500. This is in addition to the \$1,000 annual dues for 2010. The 2010 dues to NWLCA are \$300.

**MOTION** by Zenner/Peterson to deny payment of the special Taylor County assessment of \$500 to WLWCA. **MOTION CARRIED.**

**Section 1619 Compliance document:** Oberle reported this document is part of the Freedom of Information Act and deals with confidentiality between the producer and agencies. Oberle is asking that the LCC approve compliance and authorize Oberle to sign. NRCS will ask & document permission from landowners in their files.

**MOTION** by Purvis/Mildbrand to authorize Oberle to sign the section 1619 compliance document. **MOTION CARRIED.**

Review/approve Conservation Plans:

Nutrient Management Plan for Richard Halopka was reviewed. **MOTION** by Zenner/Purvis to review and accept the Halopka NMP. **MOTION CARRIED.**

**Future meetings/events:** **MOTION** by Mildbrand/Purvis for Oberle to attend NWLCA on 1/22/10, and Oberle, Lapinski & Noonan to attend WALCE annual conference March 3-5, 2010. **MOTION CARRIED.**

Discussion about when to meet next to take action on NBD NMP plan and wildlife claims.

**Next LCC Meeting..... Friday, February 12th 2010 at 10:00 AM**

**MOTION** by Zenner/Mildbrand to adjourn at 12:20 PM. **MOTION CARRIED.**

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Chair

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Date