

**EAU CLAIRE COUNTY
LAND CONSERVATION COMMISSION**

**MEETING MINUTES - MONDAY, JANUARY 23, 2012
AGRICULTURAL & RESOURCE CENTER – ALTOONA, WI**

MEMBERS PRESENT: Tami Schraufnagel, Ray Henning, Dan Walters, Gary Gibson, Jim Volbrecht and Watford Seguin

MEMBERS EXCUSED: Robin Leary and Will Fantle

STAFF PRESENT: Kelly Jacobs and Ronnie Williams

OTHERS PRESENT: John Sipple (NRCS), Rich White (Weld, Riley, Prenn & Ricci, S.C.)

Meeting was called to order at 5:31 pm.

Henning moved to approve the December 19, 2011 minutes. All in favor. Motion carried.

Vouchers were reviewed. Discussion on the prior contractor/subcontractor issue as well as Lake Rehab Fund and the Lake Rehab dollar figure.

Henning moved to approve the Well Abandonment cost-share application for Grant Parker. All in favor. Motion carried.

Cost-share ledger reviewed. Schraufnagel made a motion to approve ledger. All in favor. Motion carried.

Policy/Guidance Relating to Silica Sand Mining:

Jacobs reviewed the preliminary recommendations handout that was distributed to Commission members.

It was mentioned that a lot of these rules should be set by the townships and they should work together with the county. The next town meeting is scheduled for Jan. 30, 2012 and Jacobs plans to be in attendance.

It was also mentioned that companies are required to collect monitoring data for a variety of reasons and they should be required to provide the County with any monitoring data that has been collected.

There were a variety of items were discussed in relation to the stormwater ordinance including the following:

- Include a tiered fee structure for stormwater permits.
- If the change in impervious area is > than 25%, then a new application is required.
- It is hard to hire the review to be done because there would likely be a struggle to find a qualified individual to do this. Also difficult to have a third party handle enforcement-related work. Staff will get up to speed the more mines that are handled and will become more efficient.
- Up to “more” days for stormwater review. Extension of that time by mutual agreement.
- Expedited fee for quicker review time.

Gibson suggests taking some time to absorb the handout material and have each LCC member call Jacobs. Jacobs could then bring things forward to committee by e-mail.

Jacobs indicated that she would like some more direction as to if each item was worthy of pursuing further.

Page 1. Yes – Pursue removal of exemption language for nonmetallic mining operations under Erosion Control requirements.

Page 2. Yes – include all items discussed under this item in the reclamation plan discussions. Include a measuring protocol for the topsoil and subsoil that is to stay onsite.

- Page 3. Yes – Encourage the reassessment of land use plans and also require mitigation to help offset impacts.
- Page 4. Yes – Look at separate requirements for those sites that are operating in groundwater. Brief discussion on requiring mechanical separation but decided that encouraging mechanical fine separation where appropriate was best as each operation is different.
- Page 5. Yes – The Land Conservation Commission would like to sign on to a letter to protect the source water of municipal wells. Jacobs will try to see if we can have Dan sign onto a letter together with the Board of Health if they also approve.
- Page 6. Yes to all three items (monitoring wells, BMP guidance documents, and encourage partnering with other entities/funds). Should also require that any monitoring data collected by companies should be provided to the County.
- Page 7. Yes – Encouraging Land Use Plan updates was also already addressed under Item 3 as well.
- Page 8. Yes – We should look into incorporating NR151 non-agricultural performance standards into our code. Highway department may also already have some of those items addressed as well.
- Page 9. Fee chart should be reassessed. We should also include an “expedite” fee option. We also need to allow more time to review applications. Also request electronic documents as much as possible. Include the longer review period if mutually agreed.
- Page 10. Yes – Recommend Board of Health develop permitting for soil bore holes and for proper abandonment.
- Page 11. Yes -- we should definitely require an Emergency Action Plan.

Rich White was asked for his input as a member of the public in attendance. He said that the points are well taken and that reputable people usually want to work things out. Reclamation plans also usually take 60 days so the timeline seems appropriate.

2012 DATCP/DNR Joint Final Allocation Plan

Jacobs reviewed that DATCP had extended the approval date to March 31, 2012. The draft still had the lapse included, but included a formula adjustment which gave Eau Claire County a relatively minor increase.

Processing and Bidding Requirements for Conservation Practice Work

The County has a bidding process for projects over \$10,000. We are looking at the possibility of LCD developing a bidding process for projects \$2,000 - \$10,000 in order to get a better rate on the cost-share work. Suggestion to look to administration or corp counsel to make sure it's approved/authorized. Jacobs will make the request to Keith Zehms and cc Tom McCarty and Mel Erickson to determine if it is feasible. Jacobs to bring something to a future meeting.

Walters made a motion to go to a two party check system if authorized. The motion failed. It was stated that we need more information on how that would work. We need to look into what happens if one party doesn't sign. Jacobs will get some more information on this as well.

Technical Service Fees

Jacobs says we could charge fees for engineering/design work. Initially it was reviewed as a deposit option to ensure follow-through from landowners. In Jacobs conversations with Erickson, he encouraged pursuing the fee structure. The Commission discussed the concern that if we collect fees, Finance and Budget will take it at the end of the year. Can we keep it in our department? Perhaps we can look into placing it in a non-lapsing conservation cost-share fund. Jacobs described it as a NR151 emergency fund to bring someone into compliance under the required 70% offer of cost-share. If something is put into place, we should look at a Tier of fees and Jacobs is to ask to set up a separate fund for conservation cost-share.

Agency Updates

John Sippl, NRCS, discussed outreach by him and Jacobs at the Trout Restoration Workshop held in Mondovi. DNR looking at Lowes Creek and Otter Creek as well as the Augusta area for projects. We're looking to do this type of work in Eau Claire County. Clear Creek is already full of DNR fishing easements. He also mentioned he planned to be part of the Sustainability Fair.

Federal EQIP funds: 20% increase in cost-share funds with approximately \$100,000.00 in Eau Claire County. 30-40 applications currently on file. February 3, 2012 is the EQIP sign-up deadline and EQIP funds will be allocated around the end of March.

Federal CSP program: Currently have 20-25 applications and this program is available to all landowners. Application deadline is January 27, 2012.

Washington D.C. terminated the USDA agreement. The federal agencies will be leaving the Ag Center by the end of March. NRCS will be moving the 1st week in March and FSA will be moving the 3rd and 4th week of March. LCD is not on computer networks so normal LCD operations shouldn't be affected. Jacobs talked about the Technical Service Provider option that would allow us to access NRCS landowner files. Jacobs is in discussions to serve as a pilot project with that for County offices. Sippl would prefer to stay co-located.

Quick mention of the bait dealers list and utilizing them to spread information about Aquatic Invasive Species and current law. It was mentioned that Badger Bait is also a wholesaler so they may be able to add more dealers to the list.

Next meeting – February 27, 2012 at 5:30 PM at Ag Service Center.

Seguin made a motion to adjourn at 8:19 p.m. All in favor. Motion carried.

Respectfully submitted,

Kelly R. Jacobs, Land Conservation Supervisor