

Kewaunee County Land and Water Conservation Regularly Scheduled Committee Meeting
Kewaunee County Fairgrounds Office December 8, 2014 9:00 AM

2014-2016 Kewaunee County Land and Water Conservation Committee (LWCC) Members:

John Pagel – Chair (County Board member)
Ron Paider – Vice Chair (County Board member)
Lee Luft – Secretary (County Board member)
Bob Garfinkel – Committee Member (County Board Member)
Davina Bonness– County Conservationist
Clark Reimer (USDA Farm Service Agency Representative)
Aerica Bjurstrom – UW Extension Agricultural Agent

Kewaunee County Land and Water Conservation (LWCD) Staff:

Davina Bonness – County Conservationist
Open Position – Conservationist Specialist
Paul Fredrich – Conservationist - Soils Specialist
Theresa Albrecht – Program Specialist
Theresa Marcusen – LWCD Secretary

Cooperating Agency Members from the United States Department of Agriculture (USDA):

Joe Johnson -USDA Natural Resources Conservation Service District Conservationist
Aerica Bjurstrom - UW Extension Agricultural Agent
Brian Maedke – USDA Animal and Plant Health Inspection Service (APHIS) *Attends as appropriate.*

1) Call to Order: Meeting called to order at 9:00 AM by Chairman John Pagel

2) Roll Call: Committee Members present: John Pagel, Ron Paider, Lee Luft, Bob Garfinkel, Clark Reimer. LWCD and Cooperating Agency Staff present: Davina Bonness, Joe Johnson-USDA and Brian Maedke-USDA. Also present was Phil Meyer of the USDA. Aerica Bjurstrom was absent. Kewaunee County Board Chairman, Ron Heuer was also present.

3) Approval/Repair of Agenda: Motion to accept the December 8th agenda as presented was made by Ron Paider and seconded by Bob Garfinkel. Committee vote was unanimous in favor of the motion.

4) Correspondence: There was no correspondence regarding the regularly scheduled meeting of the Land and Water Conservation Committee.

5) Public Comments regarding the regularly scheduled Land and Water Conservation Meeting: There were two public comments.

Tom Konop: Mr. Konop asked for an update (progress, timetables, etc.) on possible technical solutions for processing manure that would help Kewaunee County address its water quality concerns. Chairman Pagel responded that he was looking at manure processing proposals and projects from at least four providers and that work will continue on these projects. Chairman Pagel also stated that he would present updates on some of these projects at our January Kewaunee County Land and Water Conservation Committee meeting. Lee Luft commented that he too was becoming more informed regarding potential manure processing operations that could reduce the amount of untreated manure being applied in Kewaunee and surrounding counties. Luft indicated that he had witnessed first-hand a trial at FEECO, International in Green Bay and was aware of the manure digester/processing operation in Waunakee, Wisconsin that serves three farms. Luft indicated that the FEECO trial was in the early stages of development and not ready for commercial operation. He also stated that the Wisconsin DNR has issued a notice of violation against the Waunakee plant for excessive air emissions of formaldehyde and sulfur dioxide going back three years. This new notification was in addition to three liquid manure spills totaling more than 400,000 gallons. The Waunakee plant was constructed in part with tax subsidies. Luft also commented that there was another manure processing plant in Middleton, Wisconsin built by Bio-Gas, Inc. that was showing promising results in processing larger volumes of manure. Luft said he believes that technology can potentially reduce the volumes of untreated manure being applied here in Kewaunee County and that he would support further study and trial initiatives to demonstrate that manure processing can indeed be effective in reducing both the amount and the nutrient/pathogen

content of manure. Still, Luft expressed doubt that Kewaunee County would see any significant amount of manure processing on a commercial scale in the next two to three years or more. With that in mind, Luft asked the Kewaunee County Land and Water Conservation Committee members what might be done next month, or in six months or in twelve or twenty-four months to reduce the on-going threats to our ground and surface waters. Luft wondered if the KCLWCC should be evaluating options to present to the Wisconsin DNR and DATCP that could include halting the further growth in herd sizes or at least limiting the growth in herd size or potentially sending any new volume of manure outside of Kewaunee County for spreading or processing. Luft said he did not expect that our Committee would answer this question at this meeting. At this time, Pagel responded to Luft, saying, "that it is not the position of this committee to tell a farmer how many cows he can or cannot milk. Pagel used the example of Mark Steinhorst and his four children that are heavily involved in their operation and want to farm after they complete their education. If they want to come back to the farm and they need to milk more cows to support this decision, it is not up to this committee to make the decision they cannot do so. The problem did not happen overnight and we can not fix it overnight. Pagel pointed out that we need to solve our water problems while taking care of our Dairy industry. It was at this time that Chairman Pagel suggested we return to the remaining issues on our very full meeting agenda and Luft agreed. Luft indicated he would like to see this discussion continued at one of our next KCLWCC meetings.

Mr. Konop also suggested that our Land and Water Conservation Committee examine the staffing levels and staff Salaries for all Kewaunee County Land and Water Conservation Department team members. He indicated that he felt that Kewaunee County's staff was the smallest in NE Wisconsin and that the staff pay was among the lowest. Chairman Pagel agree with his comments and said, "we are working on doing what we can to get Davina additional support". KCLWCC member Luft mentioned to County Board Chairman Heuer (who was in attendance at this meeting) that he would like to have these Kewaunee County Land and Water Conservation Committee staffing and salary issues added to an upcoming Personnel Committee meeting agenda.

Dick Swanson: Mr. Swanson asked if the KCLWCC was aware that Kewaunee County is still without a DNR warden. Mr. Swanson indicated that Kewaunee County has been without a warden for approximately 9 months. Davina Bonness responded that Kewaunee County has had some interim DNR wardens over the past year, however these interim wardens had a tenure of only about one month in the County before departing. Davina indicated she would contact the DNR office to see when Kewaunee County might get a new (permanent) warden.

6) Department Reports:

- a) **Animal Waste Storage Permits:** Davina reported on waste storage permits and indicated that year-to-date through November, KCLWCD issued nine total permits totaling \$10,000 in revenue for the County. Chairman Pagel inquired as to where these permit receipts are deposited and how they are used. Davina indicated she would check and report back on this question.
- b) **Farmland Preservation/Standards and Prohibitions Walkovers:** Davina Bonness reported that walkovers have now been completed by the KCLWCD staff, including Davina. Davina reported that there is some significant work to be done on a "lot" of waterways to include reshaping and possible dredging. Davina also indicated that a more complete report would be presented at the January Land and Water Conservation Committee meeting.
- c) **Cost Share Agreements:** Davina Bonness indicated that there were no new cost share agreements to report in November.
- d) **Conservation Plans for Approval:** Davina reported no new conservation plans to report in November.
- e) **Presentation of Kewaunee County's Land and Water Resource Management Plan to the State of Wisconsin Land and Water Conservation Board (included on this board are representatives from the Wisconsin DNR, DATCP and Wisconsin Land and Water Conservation Board members):** Davina Bonness reported that she presented the Kewaunee County 2015 – 2019 Annual Land and Water Resource Management Work Plan as developed by Andy Wallander with substantial input from Davina Bonness and other KCLWCD staff. Davina reported that her presentation to the Wisconsin Land and Water Conservation Board lasted nearly one hour which she noted was in contrast to other County presentations which were completed in ten to fifteen minutes with very few follow-up questions. Davina said she was asked approximately forty follow-up questions after presenting Kewaunee County's 2015-2019 Land and Water Resource Management Plan. Davina indicated that there were a number of questions regarding the recently passed Kewaunee County Public Health and Groundwater Protection Ordinance, the reasons it passed unanimously and the process that will be required for this new ordinance to become law e.g. voted on by each city and township in April of 2015 with an ordinance effective date (if approved by the specific cities and towns) of January 2016. Davina also said she received questions about Kewaunee's Public Health and Groundwater Ordinance from officials in other

counties who may wish to develop the same kinds of ordinances. Davina indicated there were other questions related to the concerns of community groups e.g. Kewaunee Cares, Restore Kewaunee, etc. and questions regarding the stated concerns expressed by the general public regarding water quality in Kewaunee County. Davina indicated she answered these inquiries in a candid and straightforward manner and that she went on to request that state regulations be amended to deal with the very specific problems faced by counties with shallow soils and Karst topography. Davina's presentation was well received and Kewaunee County has been granted the five year Land and Water Resource Management Plan extension.

Following the presentation, Davina was asked further questions by Andrew Craig and other State personnel. Davina indicated she was asked in this informal questioning to expand upon the specific concerns here in Kewaunee County. Davina indicated that these supplemental discussions lasted for one hour and that she again provided candid answers to our State officials regarding our water quality concerns, the efficacy of current DATCP and DNR regulations and current monitoring and enforcement. In summary, Davina indicated the Plan and her report were well understood and there is now an expectation that some effort could come from the DNR and/or DATCP to review current regulations. Possible changes could be made to take into considerations the specific issues faced in counties such as Kewaunee with its Karst topography.

Chairman Heuer spoke to the Kewaunee County Land and Water Committee after Davina's update and indicated that he is already in conversation with individuals from DATCP and the DNR to form a specific Kewaunee County Task Force to review and recommend policies that will have a positive impact on our ground and surface waters. Chairman Heuer indicated that he had also indicated to representatives of the DNR and DATCP that Kewaunee County is different and that we face significantly greater water quality issues than some other counties due to our Karst topography and our proximity to the bay of Green Bay and to Lake Michigan.

- f) **Discuss 2015 Fee Schedule:** Davina presented the proposed 2015 Kewaunee County Conservation Department Animal Waste Storage Permit Fee Schedule. Davina suggested one change from the current 2014 Waste Storage Permit Fee Schedule and that change would be to reduce the permit cost for farms wishing to properly abandon waste storage facilities from \$200 to \$0.00 (zero). The KCLWCC discussed this suggestion and agreed that the KCLWCD should be encouraging the identification and proper abandonment of outdated or unused manure storage facilities and sites and that charging farms for coming forward to properly identify and abandon these older manure storage facilities was counter-productive. Chairman Pagel called for a motion to reduce the fee for manure storage abandonment to zero. A motion to reduce the permit fees for storage abandonment was made by Lee Luft and seconded by Bob Garfinkel. A vote of the full committee in support of this motion was unanimous.
- g) **2014 Programs Technical – Wrap up:** Davina asked that we move this item to the January agenda.
- h) **Public Health and Groundwater Protection Ordinance Update:** Davina reported that some farms are already working to come into compliance with the manure stacking provisions of this ordinance, even though the ordinance has not been voted on by each Township as yet. Specifically, solid manure storage permits are being evaluated. Also, last month, Davina reported that fact sheets with specific township-by-township information relating to the ordinance are in circulation.
- i) **Extension Request for Soil and Water Resource Management Cost-Share Landowner Contracts (motion required):** Davina reported that there were 16 active cost-share contracts in process which will carry over into 2015. These 16 contracts were previously reviewed and approved by the Kewaunee County Land and Water Conservation Committee. Chairman Pagel asked for a motion to approve the extensions of these cost-share contracts. Ron Paider made a motion to extend the contracts and this motion was seconded by Bob Garfinkel. A vote of the full committee in support of this motion was unanimous.

7) Cooperating Agency Reports:

- a) **USDA Natural Resources Conservation Service (NRCS):** Phil Meyer and Joe Johnson presented a slide presentation entitled, "Unlock the Secrets of the Soil" produced by the USDA Natural Resources Conservation Service. The subtitle of this presentation was "healthy, productive soils checklist for growers".

The four key points made in this presentation were:

1. Keep the soil covered as much as possible
2. Disturb the soil as little as possible
3. Keep plants growing throughout the year to feed the soil
4. Diversify as much as possible using crop rotation and cover crops

NOTE: A copy of the soil health management systems that were discussed in the slide presentation is attached to these minutes.

The program also highlighted the benefits of proper soil health management to include:

- A. Improved nutrient effectiveness
- B. Decreased use of pesticides
- C. Improved water quality
- D. Conserves water
- E. Improved plant production
- F. Improved air quality
- G. Reduced soil erosion from wind and rain
- H. Reduced energy use

Phil Meyer and Joe Johnson completed a very informative demonstration of the ability of un-compacted soils with ground cover to absorb a simulated 1" per one-hour rainfall. The un-compacted/ground cover soil had almost now run off while the more compacted (disturbed) soil without ground cover showed very significant runoff which included substantial lost soil.

- b) **USDA Farm Service Agency (FSA):** Brian Maedke reported a time for farm operators enrolled in the program to claim reimbursement for crop damage due to wildlife for 2014 should be established and approved. Brian indicated that most of the crops of those enrolled in the program have now harvested their crops so it would not be unreasonable for the Kewaunee County Land and Water Conservation Committee to recommend a December 15th, 2014 cut-off date for enrolled farmers to make their applications for reimbursement due to wildlife damage. Chairman Pagel asked for a motion to set December 15th as the cut-off date for applications and a motion was made by Ron Paider and seconded by Lee Luft. The vote to approve this motion by the full committee was unanimous.
- c) **University of Wisconsin Extension (UWEX):** Aerica Bjurstrom was absent. No report from Aerica however Chairman Pagel and Ron Paider indicated that planning for the 2017 Farm Technology Days in Kewaunee County was progressing well and meetings to review how other counties had managed their Farm Technology responsibilities were on-going.
- d) **USDA Animal and Plant Health Inspection Service (APHIS):** Due to time constraints, Brian Maedke will present the Annual APHIS report at the January Kewaunee County Land and Water Conservation Committee meeting.
- e) **Other Agency Reports:** No additional reports were presented.

9) Other Matters:

- a. Chairman Heuer – new position: Board Chairman Heuer asked if Davina had developed a position description for a new position as discussed above in the comments from Tom Konop (see Public Comments section, above). Davina indicated she would begin work on this position description.
- b. Bob Garfinkel – Jacksonport: Bob Garfinkel inquired as to the developments following the public meeting in Jacksonport (Door County) regarding a recent well contamination event that sickened several families. He said he had heard that Door County's Soil and Water Department head, Bill Schuster would be contacting nearby county conservation departments to assist in developing strategies to reduce the threat of future spills and manure application incidents. Lee Luft indicated he has seen two articles regarding the Jacksonport meeting and that he would forward these to the KCLWCC for their review.
- c. Davina commented on the resumes received for the open Conservation Specialist position: Davina indicated that a number of resumes had been received and that there appear to be some very well qualified candidates among the resumes received to date. The deadline for candidates to submit their resumes is December 11th.

10) Resolutions: No resolutions were acted upon by the Committee at this meeting.

12) Travel Authorizations: There were no travel authorizations presented at this meeting.

13) Next Meeting Dates: Next regularly scheduled KCLWCC Meeting date is as follows: Tuesday January 6th at 9:00 AM.

14) Approval of Bills: Current month bills were presented, reviewed and signed by all Committee members. A motion to approve all bills as presented was made by Ron Paider and seconded by Lee Luft. Committee vote was unanimous in favor of this motion.

15) Chairman's Wrap-Up Comments: Chairman Pagel commented that today's meeting was "a good one" with a lot of good discussion. He closed by saying production agriculture was working to improve their operations.

16) Adjournment: A motion to adjourn the meeting at 11:00 AM was made by Bob Garfinkel and seconded by Ron Paider. Motion carried unanimously.