

Kewaunee County Land and Water Conservation Regularly Scheduled Committee Meeting
Kewaunee County Fairgrounds Office March 16, 2015 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
Paul Fredrich – Conservationist - Soils Specialist
Travis Engels – Conservationist Specialist
Theresa Albrecht – Program Specialist
Theresa Marcusen – LWCD Secretary
Sarah Hovis – LWCD Conservation Intern

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. Kewaunee County Board Chairman, Ron Heuer was also present. Brian Maedke-USDA, Joe Johnson USDA/NRCS were present. UW Extension Office, Aerica Bjurstrom was absent.

3) Approval/Repair of Agenda: Motion to accept the February 16th 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 six public comments.

Lynn Utesch: Mr. Utesch read a statement regarding the Petition filed by citizens and six environmental groups requesting the EPA to “study and appropriately address the groundwater pollution issues in Kewaunee County”. Mr. Utesch indicated that this statement was written to clarify the purpose of this Petition. In this statement, the staff attorney for Midwest Environmental Advocates (one of the six environmental groups who filed the Petition) affirms that the Petition does not place blame for the water quality issues in Kewaunee County with any specific facilities or sources. The Petition does provide that “pollutants can come from agriculture, in particular from landspreading by concentrated animal feeding operations (CAFOs). The statement goes on to say that “the Petition does not accuse CAFOs of single-handedly creating this problem but does identify the industry as one potential source and also acknowledges the region’s Karst geology and its role in increased susceptibility for contamination of groundwater.” A complete copy of the full statement was provided to Davina Bonness and all the members of the Kewaunee County Land and Water Conservation Committee (KCLWCC).

Mr. Utesch asked the KCLWCC to consider a resolution from the KCLWCC and the full County Board in support of the Petition to the EPA regarding the groundwater contamination in Kewaunee County.

Mr. Utesch also suggested that if the KCLWCC acts to name Tom Konop as an advisor that Mr. Dale Goodner (Kewaunee

County resident) also be asked to take a role as an advisor given Mr. Goodner's long experience in land and water conservation.

Joe Musial: Mr. Musial suggested that rules regarding "uniformity in government" be considered when looking at the siting of large scale animal farming operations. Mr. Musial indicated that he felt some large scale animal farms had been sited in very unsuitable locations that posed a risk of contamination to the county's water resources.

Mr. Musial also requested more information be forthcoming on the 48 "letters of non-compliance" that he indicated Davina Bonness has spoken about previously that were sent from the DNR to Kewaunee County WPDES permit holders in 2014.

Bill Iwen: Mr. Iwen spoke in support of a resolution by the full county board in support of the Petition requesting the EPA to study and address the groundwater pollution issues in Kewaunee County.

Nancy Utesch: Ms. Utesch spoke about what she felt was a substantial amount of mis-information regarding the actual impact of clean water act violations as cited by the EPA here in Kewaunee County. Ms. Utesch cited one example of the Burresh Farms being named as in violation of the Clean Water Act by the EPA without adequate information being provided to the public by the Kewaunee County Land and Water Conservation Department as to the kind and extent of the Clean Water Act violations.

Ms. Utesch spoke about the need for a review of all Kewaunee County Nutrient Management Plans in a manner similar to the reviews being conducted in Door County where the Door County Conservationist has indicated "false reporting" by the farms or their Certified Crop Advisors on a significant number of the Door County Nutrient Management Plans.

Ms. Utesch also suggested that there was inadequate information and oversight of the industrial wastes being allowed into Kewaunee County and placed into agricultural manure storage lagoons or otherwise applied to Kewaunee County's lands. Ms. Utesch suggested that information regarding who is permitted to accept industrial wastes is lacking and should be made public as well as the amounts of industrial waste being accepted in Kewaunee County. Lastly, Ms. Utesch asked that the Kewaunee County Land and Water Conservation Committee report on the actual cow numbers at "mid-size" farms or "near-CAFO size" farms.

Jodi Parrins: Ms. Parrins asked the Committee to prepare a resolution in support of the Petition to the EPA to study and address the groundwater pollution issues in Kewaunee County. Ms. Parrins indicated that her support of the Petition to the EPA stemmed from concerns that the current efforts of the Wisconsin DNR and DATCP were completely inadequate to address the scope of the water contamination issues here in Kewaunee County.

Mick Sagrillo: Mr. Sagrillo (Town of Lincoln Zoning Board Member) informed the KCLWCC about an effort in Lincoln Township that may result in the groundwater mapping of the entire township. This groundwater mapping would be completed by the U.S. Geological Survey team(s). The purpose of this survey would be to avoid siting of additional large-scale animal farming operations or other industrial operations in areas of the Township where groundwater may be especially susceptible to contamination.

Chuck Wagner (Kewaunee County Board Member): Near the end of the March 16th meeting Mr. Wagner asked to speak about the activities of the Lakeshore Natural Resource Partnership (LNRP) and another conservation group, Friends of the Ahnapee River and the work these groups are doing to understand and improve water quality. Mr. Wagner also spoke about the Glacial Natural Resource and Development organization and the good work this group is doing here in Kewaunee County. While Mr. Wagner spoke near the end of the meeting, his remarks were deemed to be "public comment" and for that reason these comments appear in this section of the minutes.

Short Response from County Conservationist, Davina Bonness: Ms. Bonness asked for time to comment on just a couple of issues that had been highlighted in the public comment section of the meeting.

1. With regard to industrial wastes, Ms. Bonness indicated that she recently denied two requests from Packerland Whey to dispose of industrial wastes here in Kewaunee County on local agricultural operations. Ms. Bonness indicated she would have more detailed information about the amount of industrial wastes here in Kewaunee County at a subsequent meeting.
2. Ms. Bonness said that in the near-term she and her Kewaunee County Land and Water Conservation Department will have significantly more accurate information about mid-sized and "near-CAFO size farms including appropriate animal numbers for each farm. The sum of these mid and near-CAFO size farm herd counts when combined with the numbers from the CAFOs will provide the County with a much more accurate picture of the true number of animals here.
3. Ms. Bonness indicated that in regard to Nutrient Management Plan accuracy, she and her staff are looking at the County's NMPs in detail and that she is working with the new Conservation Specialist, Travis Engles to assist in NMP reviews. These reviews combined with walk-overs will help determine the accuracy of the existing NMPs and any new NMPs and allow for corrective action where necessary.
4. Lastly Ms. Bonness indicated that some significant improvements to the mapping capability in Kewaunee County that she has been working on have been uploaded into the Kewaunee County Land and Water Conservation Department web site and that a greater number of sink holes, rock outcroppings and other conduits to groundwater will now be more apparent on the maps used to create the NMPs for an individual farm.

At this point, Joe Johnson of the Natural Resources Conservation Service spoke about his experience with local farmers and the need for trust between the farmers and government at all levels. Joe indicated that some farmers fear that if they identify sink holes or other conduits to groundwater that they may be limited in how they can use their lands. Joe pointed out however, that by making sure farmers remain cautious about those sensitive areas on their lands, they can avoid serious water contamination problems. Joe also commented that, "our departments work hard to build relationships with our farmers so they are willing to work with us for environmental improvements". John Pagel commented, "It is great to see our departments build trust between our farmers and the soil departments".

6) Department Reports:

- a) **Animal Waste Storage Permits:** No new animal waste storage permits were issued in February.
- b) **New Employee Update:** Ms. Bonness reported that training for Travis Engles (Kewaunee County's new Conservation Specialist) was well underway. Mr. Engles was present at the recent Wisconsin Land and Water Association conference sessions in Appleton. Also, Ms. Bonness reported that training for Sarah Hovis (new Conservation Intern) was progressing very well and that Ms. Hovis was doing excellent work.
- c) **Farmland Preservation/Standards and Prohibitions Walkovers:** Ms. Bonness reported that Travis Engles had begun mailing out letters to schedule appointments to conduct KCLWCD walkovers related to Farmland Preservation with area farmers.
- d) **Cost Share Agreements:** Ms. Bonness reported that there were no new cost sharing requests for February.
- e) **Conservation Plans for Approval:** Ms. Bonness submitted two new conservation plans in the Farmland Preservation Program for approval. These two conservation plans came from Patrick Schuller and Baudhuin's Grandview Dairy, LLC. These two new plans are in addition to three Farmland Preservation Program plans submitted last month for: John Bellin, Mark Chervenka and Francis Vandehey.
- f) **Public Health and Groundwater Protection Ordinance Update:** Ms. Bonness reported that she had recently downloaded highly detailed section maps to the Kewaunee County Land and Water Conservation Department web site that will make it easier for farmers and Certified Crop Advisors to identify vulnerable land conditions (sink holes, rock outcroppings, etc.) and shallow soils. The purpose of these more detailed maps is to reduce potential contamination of Kewaunee County's groundwater and to help ensure compliance with the new Ordinance. Committee member Luft reported that the UW Extension Office had indicated they would publish a fact sheet in the next edition of the "Foghorn" (the UW Extension publication). Luft also said that there had been an error in the UW Extension fact sheet as to which ballots would contain the Ordinance and that the UW Extension office had agreed to correct this error so that voters will know that the Ordinance would indeed appear on ALL ballots e.g. all Cities, Villages and Towns. Luft then indicated he had developed a simplified one page fact sheet that he had sent to all KCLWCC members and all Kewaunee County Board members that they could use to answer basic questions about the Ordinance prior to the April 7th vote. Luft also indicated he would send a copy of the simplified fact sheet to the Kewaunee County Star News and request that this information be published prior to the April 7th vote.

7) Cooperating Agency Reports:

- a) **USDA Natural Resources Conservation Service (NRCS):** Joe Johnson spoke about the efforts of NRCS to enlist farmers in the Conservation Stewardship Program (CSP) and in the Environmental Quality Improvement Program (EQIP). Mr. Johnson also spoke about the NRCS efforts to update the NRCS 590 documents that govern nutrient application on agricultural lands. Mr. Johnson indicated that the new NRCS 590 plan would in some ways be more strict and that there was now discussion with Wisconsin DATCP regarding these plans before they are published on March 23rd. It was also reported that there will be a meeting of farmers at the Rio Creek Feed Mill on April 2nd at which time the NRCS may be asked to speak about the new NRCS 590 plans and other issues.
- b) **USDA Farm Service Agency (FSA):** No report this month.
- c) **University of Wisconsin Extension (UWEX) and Farm Technology Days Update:** Aerica Bjurstrom was absent.
- d) **Other Agency Reports:** No additional reports were presented.
- e) **USDA-APHIS Wildlife Damage Program:** Brian Maedke reported on the Wildlife Damage and Claims Program results for 2014. The total payout in 2014 for wildlife damage claims was \$6,869.73 and included claims for damage from deer, turkey, and geese. Venison from deer that were harvested in the effort to curb crop damage was donated to local area food pantries. The Kewaunee County Food Pantry received 197 lbs. of ground venison while the Lakeshore Community Pantry received 181 lbs. of ground venison.

8) Other Matters:

- a. **Wisconsin Land and Water Association Conference (held in Appleton in 2015 from March 9th to March 11th).** Davina Bonness reported that her staff had made very good use of the WLWA conference educational sessions. Davina Bonness, Travis Engels, and Paul Fred Fredrich were in attendance from the Kewaunee County Land and Water Conservation Department as were John Pagel, Ron Paider and Lee Luft from the Kewaunee County Land and Water Conservation Committee. Ms. Bonness indicated she had a great number of meetings with NRCS staff, DNR staff and others at various times during the conference. Ms. Bonness reported that these meetings involved issues specific to Kewaunee County's water quality issues among other concerns. Ron Paider reported that he had attended a number of conference educational sessions and he thought that the session on "No Till" was particularly important for Kewaunee County and for the preservation of our soils. Chairman Pagel spoke about his presentation during the Manure Irrigation session and that results to date show that there is significant pathogen kill when liquid manure enters the atmosphere and that the recommended setbacks that are forthcoming in the DNR's plans for manure irrigation should allow for safe use of center pivot spraying of liquid manure. Lee Luft indicated that an important vote had taken place during the conference regarding the members support of a new Wisconsin Land and Water Association resolution calling for "The Formation of a State-wide Task Force to Research and Implement Alternative On-Farm Liquid Manure Management Systems on Wisconsin Livestock Farms". This resolution cited Wisconsin's surface and groundwater quality problems and the increasing volume of liquid manure as the reason for the Office of the Governor of the State of Wisconsin set up a task force to include the Wisconsin State Legislature, the Wisconsin Department of Administration, the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection, the Wisconsin Department of Health Services, the Wisconsin Land and Water Conservation Association, The Dairy Business Association, The Wisconsin Farm Bureau and the Wisconsin Farmer's Union. The resolution asks for a feasibility study for on-farm manure management and an implementation plan to begin moving Wisconsin toward on-farm liquid manure management and that in the interim, the "DNR be urged and directed to effectively enforce the statutes and administrative rules that are currently in place to prevent runoff and discharge of nonpoint sources of pollution to waters of the state". Davina Bonness reported that the results of the vote were 71 of 72 County Land and Water Conservation Departments and Committees voted in favor of the resolution. Luft attended a number of educational sessions and was present for the manure irrigation presentation. Luft had questioned some of the safety practices that may or may not be in the final DNR recommendations on manure irrigation and he indicated he would wait to see the final approved DNR recommendations before commenting further.
- b. **John Pagel – Manure Technologies Update:** Chairman Pagel indicated there are now approximately six companies actively working on nutrient recovery systems with one system in Brillion, Wisconsin that is treating the manure from a farm with 1,750 animals. Earlier, Chairman Pagel had reported that some of these systems attach to an existing manure digester and some systems combine a digester and further nutrient processing capabilities. Chairman Pagel indicated he will keep the committee updated on these technologies.
- b. **Advisor to KCLWCC:** At the February 16th KCLWCC meeting, Chairman Pagel asked the Committee to consider former Kewaunee County Land and Water Conservation Department employee, Tom Konop, as an advisor to the Committee. Chairman Pagel felt that Mr. Konop could be beneficial in providing additional perspective on the soil/water issues being faced in Kewaunee County, especially considering his 17 years of experience on the KCLWCD. After some questions and responses as to how the KCLWCD would use the services of Mr. Konop, (possible assistance with farm walkovers, etc.), the Committee voted on a motion made by Bob Garfinkel and seconded by Ron Paider to approve Mr. Konop as a non-paid, non-voting advisor. The committee vote was unanimous. The Committee then thanked Mr. Konop for agreeing to serve in this capacity and for agreeing to share his considerable experience.

d. Mission and Goals for Improvement: In follow-up to the Committee's discussions at the February 16th meeting regarding a mission statement for the Kewaunee County Land and Water Conservation Committee, the Committee reviewed several mission statements from other counties and three that were presented by the Committee members themselves. After reviewing these potential mission statements, Ron Paider made a motion which was seconded by Bob Garfinkel to accept a mission statement submitted by Davina Bonness. The vote to accept this mission statement was unanimous. The mission statement for the Kewaunee County Land and Water Conservation Committee is now as follows: **"The mission of the Kewaunee County Land and Water Conservation Committee is to provide leadership in the conservation of our ground and surface water, soil, and natural resources through the communication, education, and implementation of environmentally sound practices and policies."**

9) Scheduling of Future Committee Meetings: Next meeting dates: Tuesday April 14th at 9:00 AM, Tuesday May 12th at 9:00 AM and Tuesday June 16th at 9:00 AM.

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

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

10) 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.

11) Chairman's Wrap-Up Comments: Chairman Pagel indicated he had made his comments during the course of the meeting.

12) Adjournment: A motion to adjourn the meeting at 10:30 AM was made by Ron Paider and seconded by Bob Garfinkel. Motion carried unanimously.

Respectfully submitted by Lee Luft – Kewaunee County Land and Water Conservation Committee