AGENDA
Land Conservation Committee
February 12th, 2015 @ 5:00 PM
Iowa County Land Conservation Conference Room
138 S Iowa Street
Dodgeville, Wisconsin

For information regarding access for the disabled please call 935-0399.

*Any subject on this agenda may become an action item.*

1 Call to Order.
2 Roll Call.
3 Approve the agenda for this February 12th, 2015 meeting.
4 Approve the minutes of the December 11th, 2014 meeting.
5 NRCS Update
6 FPP Update.
7 LWRM & NMP Projects and Payments.
8 LWRM Plan Top 10 Priority Survey.
9 Municipal Phosphorus Trading & LCDs.
10 NRCS Letter of TP7 & TP8
11 Future of the Birch Lake Dam (TP7).
12 Iowa County & Iowa County Ag, LLC Lease.
13 LCD 2015 Workload Goals & Productivity Projection.
14 BHL Deposit Policy and Operations Agreement.
15 Liquid Manure Resolution.
16 APHIS Issues.
17 Other Business.
18 Adjournment.

Posting Verified by: your name or title  Date: _02/09/2015 @ 9:51 am___ Initials: ___KKS_________
Call the Meeting to Order Call to Order

Roll Call Action

Approval of Agenda Action

Approval of the Min. of December 11th, 2014 Action

Report from Committee Members and an Opportunity for Members of the Audience to Address the Committee Public Comment
Open discussion.

NRCS Update Action
Andy Walsh to give an update.

FPP Update FYI/Action
Len Olson to give an update on the direct mailing and postcard effort (see enclosed), the deadline issues and farm visits. Also, there will be a Chronicle ad and a radio announcement to support the direct mailing.

LWRM & NMP Projects and Payments FYI/Action
Rob Hemling to give an update on contracting and projects.

LWRM Plan Top 10 Priority Survey FYI/Action
Asking for survey responses from each LCC member.

Municipal Phosphorus Trading and LCDs FYI/Action
Wastewater treatment plant “P” limits are being challenged. Therefore, the attempt to trade phosphorus reduction with agriculture procedures is becoming an option. What is the role of a local LCD/LCC? At this time, we are offering watershed maps and landowner lists in working with the GIS office. Setting up Cost Share funds between municipalities and LCC available to farmers is another idea. Action on GIS mapping and landowner lists.

NRCS Letter of TP7 & TP8 FYI/Action
See Jimmy Bramblett letter of 50 Year Operation & Maintenance issue.

Future of the Birch Lake Dam (TP7) FYI/Action
The annual inspections were completed. A trapper was contacted for assistance with a beaver issue. The Village of Barneveld is considering asking Iowa County to remove TP7.
Then they would annex the land into the Village (or with Brigham Township) and enter an Operation Agreement with the DNR to operate the park. The DNR is interested in improving fish habitat in Trout Creek. Iowa County could access 100% DNR Dam Removal Grant Funds.

**Iowa County and Iowa County Ag, LLC Lease FYI/Action**
The building lease has been signed by all parties. June 1st is the move-in target.

**LCD 2015 Workload Goals and Projection FYI/Action**
See Enclosed. This is the best guess of what we will be doing in 2015. Please note that the Birch Lake issue wasn’t even in the radar when this was put together.

**Black Hawk Lake Deposit Policy & Operation Agreement FYI/Action**
At what amount should the deposit be required? Also, without the Birch Lake Operation Agreement, the Black Hawk Lake Operation Agreement will be updated to reflect borrowing limit to $10,000.

**Liquid Manure Resolution FYI/Action**
Area counties are adopting a liquid manure resolution. Please see the attached resolution for Dodge County.

**APHIS Issues FYI/Action**
Claims and waivers presented by Dave Terrall.

**Other Business FYI**

**Adjournment Action**
Meeting was called to order by Chair Bunker at 8:30 a.m.

Roll Call: Member present: R. Benish, B. Bunker, R. Dax, D. Nankee, G. Parman, C.L. Anderson
Excused: D. Ladd

Others present: C. Carper, R. Hemling, Wm. Grover, S. Marr, J. McCaulley, L. Olson

Approve agenda for this meeting.

Sup. Benish moved to approve the agenda for this December 11, 2014 meeting. Sup. Nankee seconded the motion. Approved

Approve minutes of the November 3, 2014 meeting.

Sup. Benish moved to approve the minutes of the November 3, 2014 meeting. R. Daz seconded the motion. Approved

Comments or reports from the audience or committee members.

R. Hemling has been engaged in the training discussed at the November meeting. Sup. Benish mentioned that he and Sup. Anderson will be working with the Blackhawk Lake Commission to develop a policy on depositing funds as identified in the recent audit.

SW Badger RC&D Dues
C. Carper of the program and Wm. Grover, member of the Board explained the benefits of the RC&D including a couple of handouts. Nine counties are included in this program and the dues for 2015 are increasing from $150 to $2,500. The reason relates to reduced funding from USDA. Sup. Parman moved and R. Dax seconded that the LCD approve $2,500 be paid for 2015 dues and it would come from the 2014 LCD budget. Approved

NRCS Update and Cover Crop Recommendations
Walsh provided a written report with three items:
EQIP Honeybee Signup – through December 19, 2014 – Benefit to pollinators
2015 General EQIP Signup – About 100 applications have been generated

CRP Continuous Signup – Interested producers should start the application process with FSA
NRCS along with the LCD will be encouraging the use of Fall-Spring cover crops as an effective erosion control practice. Sup. Benish moved, R. Dax seconded that the LCC endorses the NRCS promoted practice of using cover crops as an effective erosion control practice. Approved

2015 LCD Budget
DATCP will be providing $4,234 more in funds to Iowa County to offset staff and support costs. This results in the LCD tax levy at $113,709 which is $7,600 less than 2014.

LCD Lease
Sup. Parman moved, Sup. Nankee seconded approval of a lease with Iowa County Ag, LLC for five years for space in the new building. Approved. The lease has been reviewed by County Conservationist
SEG Funds Transfer/County to County - Nutrient Management Planning (NMP)
10 Sup. Benish moved, Sup. Anderson seconded that unspent SEG funds of $16,000 be transferred to Iowa County from Marquette County. Approved These funds will be applied to a cost share for NMP.

Ihm, CAFO and Notice of Violation
11 DNR has scheduled a meeting on December 12, 2014 with the Ihm farm as they have been issued a Notice of Violation related to an issue at the farmstead. The LCD will attend this meeting.

LWRM Update with Tracking Spreadsheet
12 R. Hemling shared a spreadsheet he has developed to track cost share projects, payments, and actions.

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11 DNR has scheduled a meeting on December 12, 2014 with the Ihm farm as they have been issued a Notice of Violation related to an issue at the farmstead. The LCD will attend this meeting.

LWRM Update with Tracking Spreadsheet
12 R. Hemling shared a spreadsheet he has developed to track cost share projects, payments, and actions.

Agreements with Birch Lake and Black Hawk Lake
13 Both agreements will be updated and brought to the committee at a later date.

Farmland Preservation Update and 2015 Compliance Deadline Strategy
14 J. McCauley and L. Olson reported that 687 mailings were sent out for self-certification. DATCP sent out 172 mailings. Sup. Anderson moved, R. Dax seconded that the following policy be implement to meet the 2015 compliance deadline: 1) soil samples on all of their owned cropland by the end of 2015; 2) complete their 590 Nutrient Management Plan during Winter 2015-16, and 3) Iowa County should issue the landowner a NON, but should check in the following spring to ensure the Nutrient Management Plan has been completed.

Farm Bureau Annual Meeting
15 J. McCauley and Sup. Bunker attended the Farm Bureau Annual Meeting and presented information regarding moving to the new location. The resolution to not have the LCD move was defeated.

Notary Status
16 S. Marr has received her Notary Public Commission for five years and has already used it in assisting LWRM contracting.

Other Business
17 The LCD will be developing a new plan and it will be completed in 2015.

Next Meeting and Adjournment
18 The next meeting will be Thursday, February 12, 2015 at 5:00 p.m.
Sup. Benish moved, Sup. Nankee seconded adjournment. Approved
Notes by Carol L. Anderson
RESOLUTION NO. __________

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN MEMBERS,

WHEREAS, certain land use practices are known to provide contaminants (i.e. bacteria, nitrates, pathogens, etc.) that percolate down through the soil during the process referred to as "groundwater recharge"; and,

WHEREAS, an increasing volume of liquid manure that is generated, stored and land applied by expanding livestock farming operations in Dodge County, and across the state of Wisconsin, can be reasonably regarded as a major source of bacteria, nitrates and pathogens to surface waters and groundwater aquifers; and,

WHEREAS, in recent years, various surface waters and private wells, located in Dodge County and across the state of Wisconsin, are known or suspected to have been contaminated by the application of liquid manure to adjacent cropland fields; and,

WHEREAS, although the percolation of water and waterborne materials through suitable soil material can minimize the amount of contaminants that ultimately reach groundwater, once percolating contaminants reach fractured bedrock, very little, if any, contaminant attenuation takes place, due to rapid transport down to, and into, the underlying groundwater aquifer; and,

WHEREAS, there are both known and suspected areas in Dodge County where only a thin layer of suitable soil material exists over fractured bedrock, which can allow for the rapid transport of surface applied contaminants down to, and into, the underlying groundwater aquifer; and,

WHEREAS, the University of Wisconsin Stevens Point Center for Watershed Science and Education (Center for Watershed Science and Education) is a partnership between the University of Wisconsin-Stevens Point College of Natural Resources and the UW-Extension; and,

WHEREAS, the Center for Watershed Science and Education analyzed 2,440 samples of water that were collected during the period of time commencing on November 10, 1986, and ending on February 21, 2012, from private wells in Dodge County; and,

WHEREAS, the Center for Watershed Science and Education issued a written report of the results of these analyses, which written report states, in pertinent part, that:

1. On a county-wide basis, 9% of private wells in Dodge County have nitrate levels exceeding the health standard for nitrates, and 21% of private wells in Dodge County have tested positive for the presence of total coliform bacteria; and,
2. Over 35% of private wells in northeastern Dodge County may be contaminated by coliform bacteria, and over 24% of private wells in northeastern Dodge County may have nitrate levels exceeding the health standards for nitrates; and,

WHEREAS, although farmers and certified manure applicators often follow proper procedures when land applying liquid manure to cropland, undesirable weather, unfit soil conditions, and unfortunate accidents that occur during the movement and land application of liquid manure to cropland can lead to the unintended discharge of liquid manure contaminants to surface waters and groundwater aquifers; and,

WHEREAS, action and assistance is needed from leadership of the Governor’s Office, the Wisconsin State Legislature, the University of Wisconsin System, various Wisconsin state agencies, and Wisconsin’s agricultural industry to help protect the quality of surface waters and groundwater in Dodge County and throughout Wisconsin, and to safeguard the health of all those who reside or recreate in Wisconsin,

SO, NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of supervisors, duly assembled this 21st day of October, 2014, earnestly urges that, under the leadership of the Office of the Governor of the State of Wisconsin, a state-wide task force comprised of representatives from 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 University of Wisconsin System, the Wisconsin Land and Water Conservation Association, the Dairy Business Association, and the Wisconsin Farm Bureau be formed to:

1. Consider the merits, feasibility and procedural steps needed for implementing alternative on-farm liquid manure management systems on Wisconsin livestock farms; and,

2. Prepare and implement an action plan to begin moving Wisconsin’s animal agriculture industry toward the implementation of alternative on-farm liquid manure management systems; and,

BE IT FURTHER RESOLVED, that in the interim, that enforcement staff of the Wisconsin Department of Natural Resources be urged and directed to effectively enforce the statutes and administrative rules that are currently in place to prevent the runoff and discharge of nonpoint sources of pollution to waters of the state; and,

BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to the Governor of the State of Wisconsin, the Wisconsin Senate Majority Leader, the Wisconsin Assembly Majority Leader, all Wisconsin State Legislators with a constituency within Dodge County; 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 University of Wisconsin, the Dairy Business Association, the Wisconsin Farm Bureau, the Wisconsin Counties Association, the Wisconsin Land and Water Conservation Association, the Wisconsin Association of Local Health Departments and Boards, and the Wisconsin Towns Association.
LEASE

THIS LEASE, made in duplicate this 15th of JAN, 2015, by and between Iowa County AG, LLC, hereinafter called Lessor, and Iowa County Land Conservation Department, hereinafter called Lessee,

WITNESSETH:

Lessor in consideration of the agreements of the Lessee, herein contained, hereby leases and demises to the Lessee the premises described as:

Approximately 450 square feet of ABOA "Usable Office Space," plus driveway access and parking area, of the USDA Service Center premises located at 1124 Professional Dr. in the City of Dodgeville, Iowa County, Wisconsin.

TERM: The term of this lease shall be five years commencing on the 1st day of June, 2015 and terminating on the 31st day of May, 2020, with the option to continue renting for five more years at the same rate.

RENT: The Lessee shall pay to the Lessor at Dodgeville, Wisconsin, as rent thereon the sum of $28.51 per square foot of space rented per year, payable in equal monthly installments in advance in the amount of $1,069 on the first day of each month.

EARLY TERMINATION CLAUSE: In the event that the main "anchor" tenant, being the U.S. Dept. of Agriculture, terminates their lease, Lessee shall have the option to terminate this lease by written notice within 15 days of such event.

PURPOSES: The leased premises shall be used by the Lessee for professional offices.

UTILITIES: The Lessor shall pay and be responsible for water, utilities, sewer, garbage removal, janitorial services and snow removal. The Lessee shall be responsible for and shall pay for phone services, television, and internet access, if applicable.

TAXES: Lessor shall be responsible for paying the real estate taxes and special assessments on the described property. The Lessee shall be responsible for and shall pay for all personal property taxes and license fees assessed on the premises occupied by the Lessee during the term of this agreement.

REPAIRS AND MAINTENANCE: The Lessor shall repair and maintain the building located on the leased premises. Lessor shall at his expense landscape and maintain the grounds surrounding the leased premises in an attractive manner.

INSURANCE: During the term of this lease the Lessor shall procure and maintain fire and extended coverage on the building. The Lessee shall be responsible for insurance coverage on any and all property owned by the Lessee and located in the leased premises.

The Lessee shall carry and pay premiums upon public liability insurance insuring both the Lessor and Lessee against injury to property of third parties for at least $100,000 and against injury to person or loss of like arising out of the use and occupation on the leased premises with minimum limits of $100,000 for one person and $300,000 for any number of persons injured or killed in any one accident and shall deposit with the Lessor appropriate certificates of existence of such insurance.

Iowa County LCD Lease Sheet 1 of 3
ALTERATIONS: Iowa delay, and from the date of condition just prior to such exercise the option to terminate this lease, condition,

DESTRUCTION OF PREMISES: Such damaged provisions shall be deemed received when mailed. to serve

INSPECTION: The Lessee shall allow the Lessor or their agents or employees access to the leased premises at reasonable times during regular business hours upon prior notice. in

SIGNS: The Lessee shall have the right to install and display signs on the leased premises provided, however, that such signs are reasonable in their content and size and comply with local ordinances concerning signs.

ASSIGNMENT/RENTAL: The Lessee may sublet or assign this lease or any part of the premises leased hereunder. This lease shall not be modified in any way except in writing signed by each of the parties.

COMDEMNATION: If the leased premises or any part thereof shall be taken or condemned for public purposes by public authorities, the Lessee shall have no claim against the Lessor and shall not have any claim or right to any portion of the amount that may be awarded or paid to the Lessor as a result of any such condemnation. If the leased premises shall be taken or condemned for public purposes, then either the Lessor or the Lessee shall have the option of terminating this lease upon giving to the other party written notice of such election within 30 days after condemnation judgment is entered, and the term of this lease shall be considered terminated as of the date judgment is satisfied by payments of the award.

BENEFITS: Each provision hereof shall extend to and shall as the case might require, bind and inure to the benefit of the Lessee and Lessor and their respective heirs, legal representatives or successors.

NOTICE: Any notice required or permitted under the lease shall be deemed sufficiently given or served if sent by registered mail to Lessee at Dodgeville, WI and to Lessor at the address then fixed for the payment of rent, and either party may give by like notice at any time and from time to time designate a different address to which notices shall be sent. Notices given in accordance with these provisions shall be deemed received when mailed.

DESTRUCTION OF PREMISES: Should the leased premises be totally destroyed by fire however caused or other casualty, this lease shall immediately terminate. Should the leased premises be damaged by fire however caused or other casualty, so as to require the expenditures to rebuild, repair, or replace the damaged portion of the premises, Lessee shall have the option to terminate this lease by written notice within 15 days after such damage or destruction. If Lessee does not exercise the option to terminate this lease, as provided herein, the leased premises shall be restored to their condition just prior to such loss by and at the expense of the Lessor without unnecessary delay, and from the date of such fire, or casualty until said premises are fully restored to their former condition, the Lessee shall pay only such portion of the rent accruing from time to time as the value of that portion of the premises not made untenable by reason of such fire or casualty.

ALTERATIONS: Lessee shall not make any alterations or do any remodeling without the written consent of the Lessor, such consent shall not be unreasonably withheld.
QUIET ENJOYMENT: Lessee shall quietly enjoy the leased premises and fixtures for the term aforesaid, free from molestation, eviction, or disturbance of any person or persons claiming under or through the landlord, subject, however, to the terms of this lease.

BINDING ON SUCCESSORS: This lease and all the terms and conditions hereof shall be binding on successors in interest.

CONTINGENCY: The Lessee's obligation to perform under this lease is expressly contingent upon performance by Lessor to the Lessee's satisfaction.

LESSOR: IOWA COUNTY AG, LLC

[Signature]
Lawrence E. Schmit, Partner

[Signature]
David C. Bainbridge, Partner

LESSEE: IOWA COUNTY

[Signature]
County Administrator
County of Iowa
Wisconsin

[Signature]
John M. Meyers
January 7, 2015

Bob Bunker, Chair
Iowa County Land Conservation Committee
118 South Iowa Street
Dodgeville, WI 53533

Dear Mr. Bunker,

Iowa County worked cooperatively with the USDA Natural Resources Conservation Service (NRCS) formerly the Soil Conservation Service to install dams under Public Law 83-566, the Waterways and Flood Prevention Act. Twin Parks floodwater retaining structures 7 and 8 were completed under this program in 1964.

Iowa County also entered into a 50-year Operation and Maintenance (O&M) Agreement with the NRCS for these structures. The dams have now reached the end of the O&M Agreement period. Iowa County is no longer obligated to follow the provisions set forth in the agreement.

NRCS encourages Iowa County to continue performing annual O&M inspections and to provide these reports to us. The dams could be eligible for funding of storm-related damages under the Emergency Watershed Protection (EWP) Program. However, damages caused by a lack of maintenance would make a dam ineligible for EWP Program financial assistance. Continuing annual inspections and providing a report to NRCS would provide evidence as to the adequacy of maintenance.

Iowa County is the owner of the dams and as such is required to maintain the dams and follow dam safety regulations administered by the Wisconsin Department of Natural Resources (WDNR). Periodic inspections and reports may be required by the WDNR. You can request NRCS assistance to complete the inspection by contacting the NRCS District Conservationist.

Please contact John Ramsden, State Conservation Engineer at (608) 662-4422 ext. 234 with any questions regarding your dams.

Sincerely,

JIMMY BRAMBLETT
State Conservationist

co:

John Ramsden, SCII, NRCS, Madison, WI
Butti Jackson-Kelly, ASNC-FH, NRCS, Richland Center, WI
Mike Knuevel, MII, NRCS, Richland Center, WI
Andy Walsh, DIC, NRCS, Dodgeville, WI
John Meyers, County Board Chairman, Dodgeville, WI
Jim McGalliard, County Conservationist, Iowa County, Dodgeville, WI
Meg Galloway, Chief, Dams and Floodplain Section, WDNR, Madison, WI

Natural Resources Conservation Service
8600 Excelsior Drive, Suite 200
Madison, WI 53717

www.wi.nrcs.usda.gov
(608) 262-4422 Fax (608) 262-1153

USDA Is an Equal Opportunity Provider and Employer
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Tuesday, December 30, 2014 Page 20 of 52
## County Payment Detail

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**Tuesday, December 30, 2014**
Land Conservation Department Quarterly Report for the EDP Meeting

**Farmland Preservation Program (FPP) Self Certification Requirement**
- The LCD and DATCP sent 889 Self Certification forms. 585 have been returned as of December 29th. Historically, many come back late as the tax returns are being prepared by the land owners.
- December 21st, 2015 is the Deadline date for FPP compliance. A direct mailing is planned in March to go out to all of the FPP participants that will need to achieve compliance by that deadline. The 2015 LCD workload will focus on assistance to these landowners.

**Land and Water Resource Management (LWRM) Plan Re-Write**
- The Iowa County LCC submitted a LWRM Plan in 2007 with an extension to 2014-2015. Therefore, it is time to re-write the LWRM Plan. This plan is required by DATCP and the DNR for the basis of their Grant Funding to the Iowa County LCD. There is an LCD goal in place to have a 'Draft Plan' by July and total DATCP acceptance in December of 2015.

**PL-566 Blackhawk Lake and Birch Lake Operational Agreement Updates**
- The Operational Agreements between Iowa County and both the Cobb-Highland Commission and the Village of Barneveld need to be updated. The LCD/LCC is waiting on the DNR before making adjustments to the Birch Lake Operational Agreement. When this information is obtained, both the Blackhawk Lake and Birch Lake Operational Agreements will be revised with the help of legal and then advanced to the LCC, EDP and the County Board. This revision time-line should be early 2015.

**End of Year LWRM and NMP County Cost Share Progress**
- The LCD/LCC has contracted, implemented or extended all of the $98,213 LWRM funds and the $68,153 NMP funds (Marquette County transferred $16,000 of their unspent funds to Iowa County). Iowa County will be goaled to contract all cost share funds early in 2015. The LCD will also attempt to secure more unspent grant funds from other counties to supplement our NMP grant with the anticipated challenge the landowners will have with the FPP Compliance Deadline of December 21st, 2015.

**Projected Workload for 2015**
- The coming year will be busy with the FPP Compliance Deadline, the LWRM Plan re-write, LWRM and NMP cost share interest, the LCD office move and the PL-556 Operational Agreements. Staff consistency will be critical.
BIRCH LAKE DAM

Thursday, January 15th, 2015
1:30 pm
Barneveld Village Hall

Options as we look to the future.......... 

Age and condition of dam-
Future needs of dam-
What does the dam protect? -
Condition and water quality of the lake and stream–
Warm water fishery quality-
  ◆ Limitations-
  ◆ Potential-
Cold water fishery quality-
  ◆ Limitations-
  ◆ Potential-
Other lake recreation uses-
  ◆ Limitations-
  ◆ Potential-
Park condition and activities-
  ◆ Limitations-
  ◆ Potential-
Economic activities-
  ◆ Limitations-
  ◆ Potential-
Other social, economic, practical and political issues-
If dam stays in-
If dam is taken out-
Other thoughts/concerns/ideas-

Thank you all for joining us and contributing your input!!

Scott Leahy-Barneveld Mayor
Mike Peterson-Barneveld Ex-Mayor
Doug Reeson-Brigham Town Chairman
John Meyer-County Board Chairman
Greg Clerkin-County Board Supervisor
Curt Kephart-County Administrator
Jim McCaulley-County Conservationist
Mike Dreishmeyer-NRCS EngineeringDave
Rowe-DNR Fishery Manager