



**LAND CONSERVATION COMMITTEE
TUESDAY NOVEMBER 12, 2019 7:10 P.M.
OR IMMEDIATELY FOLLOWING PUBLIC HEARING
CRAIG CENTER
ROCK COUNTY FAIR GROUNDS
1301 CRAIG AVE
JANESVILLE WI**

AGENDA

1. Call Meeting to Order.
2. Approval of Agenda.
3. Approval of Minutes – October 2, 2019.
4. Citizen Participation, Communications, and Announcements.
5. Review Bills Paid.
6. Wildlife Damage Abatement and Claims Program:
 - a. Approve 2020 WDACP Budget Request
 - b. Set and Approve Crop Prices for Damage Claims.
7. Resolution: Yahara River Basin Adaptive Management Project.
8. Land and Water Resource Management Program;
 - a. Review comments received at Public Hearing.
 - b. Approve advancing the Plan to State Land and Water Conservation Board for action.
 - c. Review and Approve Cost Share Agreements.
9. Resolution: Approval to Begin Acquisition Process for Selected 2019 PACE Program Applications (Federally Funded).
10. Conservation Reserve Enhancement Program – Review and Approve CREP Contracts.
11. Purchase of Agricultural Conservation Easements – Update.
12. Groundwater Nitrate Workgroup - Update.
13. Adjourn.



MINUTES

**ROCK COUNTY LAND CONSERVATION COMMITTEE
WEDNESDAY OCTOBER 2, 2019, 7:00 P.M.
LAND CONSERVATION DEPARTMENT
CONFERENCE ROOM
440 N US HWY 14
JANESVILLE WI**

1. **Call to Order:** Vice Chair Sweeney called the meeting to order at 7:04 pm.

Committee Members Present: Stephanie Aegerter, Rich Bostwick, Wes Davis, Brenton Driscoll, Robert Potter, James Quade, Alan Sweeney and Jeremy Zajac

Committee Members Excused: None

Others Present: Tom Sweeney, LCD; Anne Miller, LCD; Tom Brien, County Board Supervisor; and Terri Carlson, Corporation Counsel Risk Manager.
2. **Approval of Agenda:** Supervisor Zajac moved to approve the agenda as presented, seconded by Chair Bostwick. **Motion Carried.**
3. **Approval of Minutes – September 4, 2019:** Supervisor Davis moved the minutes from the September 4, 2019 LCC meeting, seconded by Supervisor Potter. **Motion Carried.**
4. **Citizen Participation, Communications, and Announcements:** Supervisor Davis noted that the Women's League of Voters in conjunction with the Conservation League of Voters asked to speak before the committee at the next meeting. Chair Bostwick noted that Supervisor Driscoll will be stepping down from his role as a member of the County Board in the near future and thanked him for his service to the LCC. Tom Sweeney noted that the Ag. Service Center will be remodeled beginning on December 2, 2019.
5. **Review Bills Paid:** The committee reviewed the bills paid.
6. **Erosion Control Storm Water Management Program:**
 - a. Six Month Extension Request - ECSW-2018-13, Peace Land Development, Inc. - Lake Woods 5th Addition. Supervisor Davis moved to approve the extension request as presented, seconded by Supervisor Quade. **Motion Carried.**
 - b. Six Month Extension Request - ECSW-2017-3, DYN Cannell, LLC - Lake Woods 3rd Addition. Supervisor Driscoll moved to approve the extension as requested, seconded by Supervisor Potter. **Motion Carried.**
7. **Land and Water Resource Management Program –**
 - a. Review LWRM Plan Revisions. Anne Miller and Tom Sweeney reviewed all changes to the Land and Water Resource Management Plan. Anne Miller handed out notes identifying the changes. Comments were received.
 - b. Schedule Updated Plan's Public Hearing. Chair Bostwick set the Public Hearing for November 12, 2019 at 7:00 pm to be held at the Craig Center, Rock County Fair Grounds.
8. **Conservation Reserve Enhancement Program – Approval of Contracts.** Supervisor Sweeney moved to approve the CREP Agreements as presented, seconded by Supervisor Quade. **Motion Carried.**

9. **Groundwater Nitrate Workgroup – Update:** Tom Sweeney updated the committee on activities from the Workgroup. Also Sweeney noted the next Groundwater Workgroup meeting will be held on November 11, 2019 at 8:00 a.m. in the LCC Conference Room.
10. **Resolution: Finalizing the O’Leary Family Trust Property Agricultural Conservation Easement Donation:** Supervisor Zajac moved to approve the resolution as presented, seconded by Supervisor Potter. Tom Sweeney reviewed the resolution. **Motion Carried.**
11. **Purchase of Agricultural Conservation Easement - Update:** Tom Sweeney provided the committee with an update of all PACE activities, noting the O’Leary Easement will close prior to years end and background work on applications for the PACE Council meeting.
12. **Next LCC Meeting Set Time and Date:** Chair Bostwick noted the Public Hearing for the Land and Water Resource Management Plan and asked if all available for this time. The meeting was set for November 12, 2019 to commence immediately after conclusion of the Public Hearing.
13. **Adjourn:** Supervisor Driscoll moved to adjourn the October 2, 2019 Land Conservation Committee meeting at 8:17 pm, seconded by Supervisor Zajac. **Motion Carried.**

Respectfully Submitted,

Thomas Sweeney
County Conservationist

Minutes are not official until adopted by the Land Conservation Committee.

G: office/lcc/lcc2019/MI100219

**COMMITTEE REVIEW REPORT
WITH DESCRIPTION
FOR THE MONTH OF OCTOBER 2019**

Account Number	Account Name	PO#	Check Date	Vendor Name	Description	Inv/Enc Amt
62-6200-0000-63100	Office&Misc Exp	P1900588	10/17/2019	US BANK	2019 STAPLES, OFFICE PRO	56.14
62-6200-0000-64200	Training	P1902392	10/17/2019	VERNON COUNTY LAND AND WATER	REGISTRATION:	24.00
62-6200-0000-65321	Building Lease	P1900578	10/03/2019	SILHA LLC,DAN	2019 TOTAL OFFICE RENT	3,900.00
Land Conservation PROG TOTAL						3,980.14
62-6225-0000-62119	Other Services	P1900587	10/17/2019	USDA APHIS GENERAL	2019 FIELD SVS FROM USDA	1,636.07
Wildlife Damage/Assmts PROG TOTAL						1,636.07
62-6280-0000-64928	Cost Sharing	P1902432	10/24/2019	JOHNSON,WILLIAM G	GRADE STABILIZATION STRUCTURE	7,700.00
		P1902440	10/31/2019	RPF TRUST	WELL DECOMMISSIONING	403.20
		P1902490	10/31/2019	SHOTLIFF,BRIAN	WELL ABANDONMENT	500.00
		P1902501	10/31/2019	JOHN L AUSTIN FARMS LLC	MANURE STORAGE CLOSURE	4,270.00
LWC Plan Implementation Grant PROG TOTAL						12,873.20
62-6300-0000-62199	Prof Services	P1902295	10/03/2019	VEOLIA ES TECHNICAL SOLUTIONS	HAZARDOUS CHEMICALS CLEAN SWEE	515.35
		P1902296	10/03/2019	VEOLIA ES TECHNICAL SOLUTIONS	HAZARD CHEMICALS CLEAN SWEEP	7,119.79
Household Clean Sweep PROG TOTAL						7,635.14
62-6311-0000-64928	Cost Sharing	P1902342	10/10/2019	NELSON,RYAN	YAHARA RIVER WATERSHED	27,507.50
Yahara WINS PROG TOTAL						27,507.50

ROCK COUNTY

COMMITTEE REVIEW REPORT
WITH DESCRIPTION
FOR THE MONTH OF OCTOBER 2019

10/31/2019

Account Number	Account Name	PO#	Check Date	Vendor Name	Description	Inv/Enc Amt
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I have reviewed the preceding payments in the total amount of \$53,632.05

Date:

Dept Head

Committee Chair

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Committee
INITIATED BY



Thomas Sweeney
DRAFTED BY

Land Conservation Committee
SUBMITTED BY

October 11, 2019
DATE DRAFTED

Yahara River Basin Adaptive Management Project

- 1 **WHEREAS**, Yahara Watershed Improvement Network (Yahara WINS) approached the Land
- 2 Conservation Department (LCD) in 2016 to discuss the merits of developing a partnership for the
- 3 Adaptive Management Program for Rock County’s portion of the Yahara River Watershed; and,
- 4
- 5 **WHEREAS**, Adaptive Management Projects allows municipalities to implement phosphorus reducing
- 6 projects within the watershed in lieu of making very expensive upgrades to their wastewater treatment
- 7 facilities while meeting water quality goals for phosphorus. The most cost effective projects for
- 8 phosphorus reduction can be found in the implementation of best management practices within the
- 9 agricultural sector; and,
- 10
- 11 **WHEREAS**, through many discussions with Yahara WINS management and Land Conservation
- 12 Department (LCD) staff a service agreement was developed, outlining all requirements for the
- 13 programs goals and expectations for both parties, more specifically the agreement requires Yahara
- 14 WINS to reimburse Rock County for all costs associated with the implementation of phosphorus runoff
- 15 abatement best management practices and associated costs for staff and support for said project on a
- 16 dollar for dollar basis; and,
- 17
- 18 **WHEREAS**, the Service Agreement was entered into by the Land Conservation Committee (LCC) and
- 19 Yahara WINS in early 2017, which allowed the LCD to commence with the implementation phase of the
- 20 Adaptive Management Project in Rock County’s portion of the Yahara River Watershed; and,
- 21
- 22 **WHEREAS**, since early 2017, LCD staff has engaged landowners who expressed interest in program
- 23 participation, which has resulted in best management practice installation agreements to be initiated by
- 24 the land owners and the LCC; and,
- 25
- 26 **WHEREAS**, in some instances the BMP costs will exceed the Rock County’s set financial thresholds
- 27 which require additional approvals by the Finance Committee and County Board of Supervisors; and,
- 28
- 29 **WHEREAS**, the Rock County Best Management Practice Installation Agreement WINS-01.19 will
- 30 exceed the aforesaid thresholds to provide funding for the establishment of a water quality harvestable
- 31 buffer system in the Yahara River Watershed. The mentioned agreement is based on an incentive
- 32 payment which requires the landowner to operate and maintain the BMP system for a period of fifteen
- 33 years.
- 34
- 35 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
- 36 this _____ day of _____, 2019, approves the incentive payments for Rock County Best
- 37 Management Practice Installation Agreements WINS-01.19 in the sum of \$28,515.

Respectfully submitted,

LAND CONSERVATION COMMITTEE

Richard Bostwick, Chair

Alan Sweeney, Vice Chair

Stephanie Aegerter

Wes Davis

Brenton Driscoll

Robert Potter

James Quade, USDA-FSA Representative

Jeremy Zajac

FISCAL NOTE:

The incentive payments are fully reimbursed by Yahara WINs. No County matching funds are required.



Sherry Oja
Finance Director

ADMINISTRATIVE NOTE:

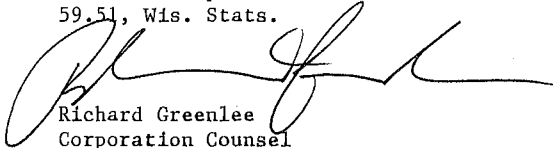
Recommended.



Josh Smith
County Administrator

LEGAL NOTE:

The County Board is authorized to take this action pursuant to §§ 59.01 & 59.51, Wis. Stats.



Richard Greenlee
Corporation Counsel

Executive Summary

The Yahara River Watershed is threatened by excessive phosphorus from sources identified as agricultural runoff, urban storm water and wastewater treatment plant discharges. The elevated phosphorus levels are a threat to water quality and aquatic life throughout the Yahara Watershed. The Yahara Watershed Improvement Network (Yahara WINS), began in 2012 to reduce all phosphorus loads and meet water quality standards established by the Wisconsin Department of Natural Resources (WDNR). This program employs watershed adaptive management, a strategy in which all producers of phosphorus pollution, point and non-point sources, in the Yahara watershed basin work together to meet water quality goals. This strategy is more effective and less expensive than the sources working separately on individual solutions. Partners in Yahara WINS include cities, villages, towns, wastewater treatment plants, agricultural producers, environmental groups and others.

Yahara WINS approached the Land Conservation Department in 2016 to discuss the merits of developing a partnership to apply best management practices in Rock County's portion of the Yahara River watershed. A Service Agreement was entered into by both parties and the Land Conservation Department's Budget was amended to facilitate the cost share and/or incentive agreements.

Since then, staff has been engaged with various landowners whom expressed interest in the overall programs goals. Numerous agreements have been signed by landowners who have implemented best management practices. Knowing a few agreements would exceed the financial thresholds established by County Board rules, requiring actions by both the Finance Committee and County Board of Supervisors. Rock County Best Management Practice Installation Agreements WINS-01.19 exceeds the established threshold and requires approval from County Board.

Yahara WINS reimburses the County for costs associated with the aforementioned work, on a dollar for dollar basis.

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Committee
INITIATED BY



Thomas Sweeney
DRAFTED BY

Land Conservation Committee
SUBMITTED BY

October 17, 2019
DATE DRAFTED

APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2019 PACE PROGRAM APPLICATIONS (FEDERALLY FUNDED)

1 **WHEREAS**, the Rock County Board of Supervisors officially approved the Rock County Purchase of
2 Agricultural Conservation Easements (PACE) Program and adopted the document entitled Rock County
3 PACE Program Manual, identifying and outlining all aspects of Program development and implementation,
4 on January 13, 2011; and,
5

6 **WHEREAS**, the Program works to achieve the mission by acquiring agricultural conservation easements
7 (Easements) on eligible lands throughout unincorporated Rock County; and,
8

9 **WHEREAS**, the Land Conservation Department (LCD) received one (1) new application and reactivated one
10 (1) application for the PACE Program during the 2019 application cycle; and,
11

12 **WHEREAS**, the applications have been reviewed by LCD staff, the PACE Council, and the Land
13 Conservation Committee (LCC), all in accordance with the Rock County PACE Program Manual; and,
14

15 **WHEREAS**, the LCC voted to approve the reactivation of the Barlass application for the 80 acre parcel and
16 approved the new application for the Vanthournout parcels for the federal funding option of the PACE
17 Program and begin the Easement acquisition process, both applications are described below:
18

19 Barlass Property - Rock County tax parcel number **6-7-255**, Part of the NE ¼ of Section 26, Township
20 3N, Range 13E, Harmony Township (approximately 80 acres); and,
21

22 Vanthournout Properties – Rock County tax parcel number **6-20-107.2**, part of the SW ¼ of Section 13,
23 Township 4N, Range 10E, Union Township (approximately 40 acres); and Rock County tax parcel
24 number **6-20-109**, part of the SW ¼ of Section 13, Township 4N, Range 10E, Union Township
25 (approximately 40 acres); and,
26

27 **WHEREAS**, to proceed with the Easement acquisition process, the LCD will submit an Easement acquisition
28 funding application for the aforementioned properties to the USDA-Natural Resources Conservation Service
29 (“NRCS”), which, if approved, provides funding for a maximum fifty percent of the Easement value; and,
30

31 **WHEREAS**, the NRCS requires, as a component of its application process, a signed purchase agreement
32 between Rock County and the owners of the aforementioned properties; and,
33

34 **WHEREAS**, the agreement will be based on an estimated value of the Easement and is contingent on a final
35 value being determined by an appraisal, which will be contracted by Rock County only if the property is
36 selected by the NRCS for funding; and,
37

38 **WHEREAS**, to formalize the Easement acquisition process, the owners of the aforementioned Properties,
39 Rock County, and Brabazon Title Company, Inc. will sign and execute three *Agricultural Conservation*
40 *Easement Conveyance Agreement* documents, one for each parcel, which will include the estimated purchase
41 price and will outline all aspects of the Easement acquisition process, including but not limited to, the
42 following activities, subject to all terms and conditions as stated therein:
43

- 44 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum Title Insurance
45 Commitment of \$15,000 (Title Report) for each Property,
- 46 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow
47 account,
- 48 3. LCD submitting an application to the NRCS for the federal portion of the purchase funding,
- 49 4. If selected for funding by the NRCS, Rock County contracting with an appraiser to determine the
50 fair market value of the Easement; and,

APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2019 PACE PROGRAM
APPLICATIONS (FEDERALLY FUNDED)

Page 2

51 **WHEREAS**, final acquisition of any or all of the Easements will take place only after future action by the
52 County Board.

53
54 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
55 _____ day of _____, 2019, does by enactment of this Resolution approve an *Agricultural*
56 *Conservation Easement Conveyance Agreement* for each property, authorizing the LCD to undertake
57 activities identified therein and obligate all necessary funds to complete said activities.

Respectfully submitted,

LAND CONSERVATION COMMITTEE

Richard Bostwick, Chair

Alan Sweeney, Vice Chair

Stephanie Aegerter

Wes Davis

Brenton Driscoll


Robert Potter

James Quade, USDA-FSA

Jeremy Zajac

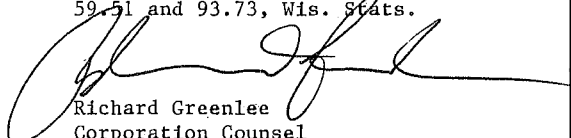
FISCAL NOTE:

Sufficient funds are available in the Land Conservation Department's PACE budget for the escrow, estimated appraisal and related costs necessary to begin the acquisition process for Agricultural Conservation Easement Conveyances on these two properties. Once we have estimated purchase prices, sufficiency of available funding will need to be determined. Purchase of these easements is subject to funding from the Natural Resources Conservation Service.


Sherry Qa
Finance Director

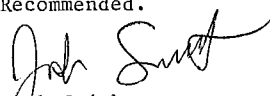
LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.51 and 93.73, Wis. Stats.


Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.


Josh Smith
County Administrator

EXECUTIVE SUMMARY

APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2018 PACE PROGRAM APPLICATIONS (FEDERALLY FUNDED)

This resolution authorizes the County to enter into an *Agricultural Conservation Easement Conveyance Agreement* (Agreement) with the landowners and Brabazon Title Company for two PACE applications, representing three parcels located in unincorporated Rock County. The Agreement identifies and outlines the agricultural conservation easement (Easement) acquisition process to be undertaken by the Rock County PACE Program. The first steps in the process include establishing an escrow account to be held by Brabazon Title Company, purchasing title insurance, submitting applications to the USDA-NRCS funding of a portion of the easement value and contracting for appraisals if approved for funding by the USDA-NRCS. Acquisition of the easements by Rock County is contingent upon funding from the USDA-NRCS and will be finalized only after future action by the County Board.

Acquisition of Easements will protect and preserve productive agricultural lands in Rock County, encouraging and promoting the goals of a strong agricultural economy and community identity, and intergovernmental cooperation.

November 12, 2019: Land Conservation Committee Meeting

Conservation Reserve Enhancement Program 15 Year Agreements for Consideration:

Owner Name/Participants Name	Practice	Acres	Amount	Town/Sec
50 BMG LLC	CP 21	2.7	\$652.05	CLINTON 35
D&S HAZELTINE TRUST	CP 21	1.69	\$217.32	CENTER 35
GARY & RHONDA GILBACK REV. TRUST	CP 21	4.6	\$558.90	BRADFORD
ERIC KOOMPROOD	CP 21	0.9	\$122.85	AVON 1
TOTALS		8.99	\$1,551.12	Fees = \$232.66

Land and Water Cost Share Agreements for Consideration:

Owner/Cost Share Recipient Name	Agreement #	Practice	C/S Amount
BRIAN SHOTLIFF	LR-022.19	WELL ABANDONMENT	\$500.00
CHARLES CLINT / LOREN BOBOLZ	LR-023.19	NUTRIENT MANAGEMENT	\$6,012.00
LOREN JAN BOBOLZ REV TRUST / LOREN BOBOLZ	LR-024.19	NUTRIENT MANAGEMENT	\$15,748.00
RANDAL BOBOLZ / LOREN BOBOLZ	LR-025.19	NUTRIENT MANAGEMENT	\$4,108.00
JACOB BOBOLZ / LOREN BOBOLZ	LR-026.19	NUTRIENT MANAGEMENT	\$3,112.00
CHARLES JENSEN / LOREN BOBLZ	LR-027.19	NUTRIENT MANAGEMENT	\$1,188.00
LOREN & JAN BOBOLZ / LOREN BOBLOZ	LR-028.19	NUTRIENT MANAGEMENT	\$4,704.00
JUDITH PEICH / LOREN BOBOLZ	LR-029.19	NUTRIENT MANAGEMENT	\$5,125.00
JUDITH PEICH LELAND PEICH / LOREN BOBOLZ	LR-030.19	NUTRIENT MANAGEMENT	\$1,856.00
KAREN MINOTT	LR-031.19	WATERWAY SYSTEM	\$2,870.00
TOM KNAUER	LR-032.19	WELL ABANDONMENT	\$500.00
LEACH FARMS INC	LR-033.19	CRITICAL AREA STABILIZATION	\$700.00
MARILYN SHOEMAKER/GEORGE ANDREW	LR-034.19	NUTRIENT MANAGEMENT	\$1,160.00
SHEILA GREMPELER/BILL HANTKE	LR-035.19	NUTRIENT MANAGEMENT	\$4,804.00
MOORE FAMILY FARMS, LLC	LR-036.19	NUTRIENT MANAGEMENT	\$11,528.00
TOTAL			\$63,915.00