



MINUTES

ROCK COUNTY LAND CONSERVATION COMMITTEE
Wednesday September 1, 2021, 7:15 P.M.
USDA Service Center, 440 N Hwy 14 and Virtual via Zoom

1. **Call to Order:** Chair Bostwick called the meeting to order at 7:16 pm.

Committee Members Present: Stephanie Aegerter (via Zoom), Rich Bostwick, Janelle Crary, Wes Davis, Mike Mulligan, James Quade, Genia Stevens (via Zoom) and Alan Sweeney.

Committee Members Excused: None

Others Present: Andrew Baker

2. **Approval of Agenda:** Mr. Quade moved to approve the agenda, seconded by Supervisor Mulligan. **Motion carried unanimously.**
3. **Approval of Minutes – August 4, 2021 LCC meeting.** Supervisor Davis moved the approval of the minutes as presented, seconded by Supervisor Crary. **Motion carried unanimously.**
4. **Citizen Participation, Communications, and Announcements.** None
5. **Review Bills Paid:** None. August bills will be reviewed at October meeting.
6. **Action Item:** Request for Erosion Control and Storm Water Management Permit Fee Waiver-Reissued permit for project that has no commenced and will not be completed during the permit duration of one year. *Jane and Jake Pettit – Campground Project (Milton Township).*

Andrew explained the nature of the request. The applicants were not in attendance to state their case. The project was originally permitted in October 2021. The applicant has recently obtained other necessary permits for the project and will not be able to complete construction during the permit duration. Since no earth movement has taken place, they are requesting that the original permit be reissued and that the fee be waived (i.e. the original permit fee cover the cost of the reissued permit). The applicant states that review of the sewer plans took a number of months to be approved at the State, which caused delay in construction. LCD staff confirmed that the plans were submitted in April but were not approved until August. This was apparently at no fault of the applicant, but rather staffing shortage or Covid related inefficiencies. Supervisor Sweeney asked if staff incurred any additional costs related to reissuing the permit. Andrew responded that bringing the request to the Committee was essentially the only extra cost from an administrative standpoint. Nothing about the plans or permit has changed. Staff is supportive of the fee waiver for the reissued permit.

Supervisor Davis made a motion to approve the fee waiver for the reissued permit, seconded by Supervisor Sweeney. **Motion carried on a 7-1 vote (Supervisor Mulligan – No).**

7. **Action Item:** Yahara WINS: Approval of Contracts.
Andrew explained that these contracts are between the landowner and the LCD, but are 100% reimbursed by Yahara WINS following the installation of the practices. As per the agreement with WINS, LCD receives an administrative fee for the planning, oversight of construction and long term monitoring of the practice. Installation of these practices in the watershed is designed to reduce phosphorus flowing into the Yahara River and is an alternative for municipal sanitary sewer operators to meet the discharge requirements for their permits. In other words, if this option was not available, costly upgrades would be required at the facility to trap phosphorus. Each individual project is approved by the DNR prior to installation.

Andrew reviewed the detail of each project, as provided in the memo in the packet, along with using the GIS to show air photos of each project location. Each contract was approved individually as follows:

1. George Brothers WINS-01.21

Supervisor Sweeney made a motion to approve the contract, seconded by Mr. Quade. **Motion carried unanimously.**

2. William Myhre WINS-02.21

Supervisor Sweeney made a motion to approve the contract, seconded by Supervisor Mulligan. **Motion carried unanimously.**

3. Sayre Family Irrevocable Trust WINS-03.21

Mr. Quade made a motion to approve the contract, seconded by Supervisor Crary. **Motion carried unanimously.**

4. Craig Danielson WINS-04.21

Supervisor Davis made a motion to approve the contract, seconded by Supervisor Mulligan. **Motion carried unanimously.**

8. **Action Item.** Land and Water Resource Management Program: Approval of 2021 Cost Share Agreements. None
9. **Informational Item:** Purchase of Agricultural Conservation Easement.
Andrew stated staff is working toward acquisition on five easements, three from last year and two from years prior. Primary delay on prior year easements was due to right of way acquisition on County Hwy A. An additional easement will be removed from acquisition process due to the landowner choosing to proceed with a solar development lease instead. Andrew explained that while our Wisconsin NRCS staff could not give us a direct answer whether a solar array development was consistent with the easement deed terms, peers from other states have relayed that Federal NRCS staff that review the deeds have denied these requests in the past. Those are same staff that would be reviewing deeds from Wisconsin, so LCD staff really have no choice but to no proceed with the acquisition. Federally obligated funds for the acquisitions are returned to the National fund pool (i.e. we cannot distribute the funds to another County project directly). 2021 applications will likely be reviewed by the PACE Council in September and LCC in October.
10. **Adjourn:** Mr. Quade made a motion to adjourn at 7:52 pm, seconded by Supervisor Sweeney. **Motion carried unanimously.**

Respectfully Submitted,

Andrew Baker
Director

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