



**LAND CONSERVATION COMMITTEE  
WEDNESDAY, APRIL 2, 2014, 7:15 P.M.  
LAND CONSERVATION CONFERENCE ROOM  
440 N US HWY 14  
JANESVILLE WI**

**AGENDA**

1. Call Meeting to Order.
2. Approval of Agenda.
3. Approval of Minutes – March 5, 2014.
4. Citizen Participation, Communications, and Announcements.
5. Bills/Transfers/Encumbrances.
6. Land and Water Resource Management Program –
  - A. Approval of Cost Share Agreements.
  - B. Approval of Joint DATCP/DNR Nonpoint Source Grant Application for 2015.
7. Resolution: Amending Various Sections of the Rock County Storm Water Management Ordinance (Chapter 4 Part 8)
8. Resolution: Amending Various Sections of the Construction Site Erosion Control Ordinance (Chapter 4 Part 11).
9. Resolution: Amending the 2014 Land Conservation Department Budget Gypsy Moth Suppression
10. Approval of Municipal WPDES Storm Water Permit Annual Report.
11. Purchase of Agricultural Conservation Easements Program - Update
12. Review and Recommend Amendments to the Rock County Animal Waste Management Ordinance.
13. Department Update.
14. Adjourn.

**COMMITTEE APPROVAL REPORT**

| Account Number                           | Account Name   | PO#      | Inv Date   | Vendor Name                    | Inv/Enc Amt     |
|--|----------------|----------|------------|--------------------------------|-----------------|
| 62-6340-0000-62119                       | OTHER SERVICES | P1401573 | 03/14/2014 | WISCONSIN DEPARTMENT OF NATUR. | 1,157.97        |
|  | Budget         | YTD Exp  | YTD Enc    | Pending                        | Closing Balance |
|  | 0.00           | 0.00     | 0.00       | 1,157.97                       | (1,157.97)      |
| <b>GYPSE MOTH SUPPRESSION PROG TOTAL</b> |                |          |            | <b>1,157.97</b>                |                 |
| 62-6350-0000-65109                       | OTHER INS      | P1401595 | 03/18/2014 | BRABAZON TITLE CO INC          | 542.00          |
|  | Budget         | YTD Exp  | YTD Enc    | Pending                        | Closing Balance |
|  | 2,000.00       | 1,087.00 | 0.00       | 542.00                         | 371.00          |
| <b>PDR/PACE PROG TOTAL</b>               |                |          |            | <b>542.00</b>                  |                 |

I have examined the preceding bills and encumbrances in the total amount of **\$1,699.97**  
 Claims covering the items are proper and have been previously funded. These items are to be treated as follows:  
 A. Bills and encumbrances over \$10,000 referred to the Finance Committee and County Board.  
 B. Bills under \$10,000 to be paid.  
 C. Encumbrances under \$10,000 to be paid upon acceptance by the Department Head.

Date: **APR 02 2014**

Dept Head \_\_\_\_\_

Committee Chair \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

AGENDA NO. \_\_\_\_\_

**ORDINANCE  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY \_\_\_\_\_



ANDREW BAKER  
DRAFTED BY \_\_\_\_\_

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY \_\_\_\_\_

March 26, 2014  
DATE DRAFTED \_\_\_\_\_

AMENDING VARIOUS SECTIONS OF THE ROCK COUNTY STORM WATER MANAGEMENT  
ORDINANCE (CHAPTER 4 PART 8)

1 The County Board of Supervisors of the County of Rock does ordain as follows:

2  
3 I. Chapter 4, Part 8, of the Rock County Ordinances shall be amended to read as follows (new  
4 language underscored, ~~deleted language crossed-out~~):

5  
6 **4.805 Jurisdiction, Applicability and Waivers**

7 .....  
8 (2) Applicability

9 (A) This ordinance applies to the following land disturbing activities:

10 .....  
11 (3) Land disturbing activities, on a site of any size, that have been observed to cause,  
12 or have been determined likely to result in, runoff in excess of the safe capacity of the  
13 existing drainage facilities or receiving body of water, undue channel erosion, increased  
14 water pollution by scouring or the transportation of particulate matter, or endangerment  
15 of property or public safety. The ~~LCD~~ LCC shall make this determination after review  
16 by the ~~Technical Review Committee~~ LCD.

17 .....  
18 (B) Exemptions.

19 1. This ordinance does not apply to the following:

20 .....  
21 e. ~~Redevelopment post construction sites with no increase in exposed~~  
22 ~~parking lots or roads~~

23  
24 f. Post-construction sites with less than 10 percent connected  
25 imperviousness, based on complete development of the post-construction  
26 site, provided the cumulative area of all ~~parking lots and rooftops~~  
27 impervious surfaces is less than one acre;

28  
29 g. Underground utility construction such as water, sewer, and fiber optic  
30 lines. This exemption does not apply to the construction of any above  
31 ground structures associated with utility construction;

32  
33 (3) Waivers

34 .....  
35 (B) The ~~Technical Review Committee~~ LCD shall be responsible for making  
36 recommendations to the LCC concerning all waiver applications.

37  
38 **4.807 Performance Standards**

39  
40 (1) General Considerations

41 .....  
42 (B) Maintenance of Effort. For redevelopment sites where the redevelopment will be  
43 replacing older development that was subject to post-construction performance standards of  
44 this ordinance in effect on or after March 2004, the storm water management plan must  
45 meet the TSS reduction, peak flow control, infiltration, and protective area standards

46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92

applicable to the older development or meet the redevelopment standards of the revised ordinance, whichever is more stringent.

(C) Off-Site Drainage. When designing BMPs, runoff draining to the BMP from off-site shall be taken into account in determining the treatment efficiency of the practice. Any impact on the efficiency shall be compensated for by increasing the size of the BMP accordingly.

(2) Storm Water Runoff Peak Discharge Rate and Volume. Unless otherwise provided for in this ordinance, all land development activities subject to this ordinance shall establish onsite management practices to control the peak flow rates of storm water discharged from the site as described in this ordinance. ~~Infiltration of storm water runoff from driveways, rooftops, parking lots, and landscaped areas shall be incorporated to the maximum extent practical to provide volume control in addition to control of peak flows~~

(A) The proposed land development shall, by design, not increase peak flow rates of storm water runoff from that which would have resulted from the same storm occurring over the site with the land in its pre-developed conditions for the one (1), two (2), ten (10), and one-hundred (100) year, twenty-four (24) hour storms.

(B) All runoff and flow calculations required for peak flow design shall use a hydrograph-producing method such as described in the most recent version of TR-55. The LCD retains approval of the methods used to determine runoff volume. Calculations for determining peak runoffs and volumes must incorporate the following assumptions.

1. The design rainfall storm accumulation for different storm intensities in Rock County shall be based on the following data.

a. Rainfall Accumulation for 24 hour Rainfall:

- i) 1-Year Storm      2.25 Inches
- ii) 2-Year Storm      2.9 Inches
- iii) 10-Year Storm      4.1 Inches
- iv) 100-Year Storm      6.0 Inches

.....

4. Runoff Curve Numbers for on-site areas shall be based on pre-developed and proposed developed land use conditions. The maximum pre-development runoff curve numbers are shown in Table 1. Runoff Curve Number for off-site areas shall be based on the pre-developed or proposed land use, which ever results in the highest peak flows. Runoff Curve numbers are described in TR-55.

(NEW TABLE)

| Maximum Pre-development Runoff Curve Numbers |                       |    |    |    |
|--|-----------------------|----|----|----|
| Land Cover                                   | Hydrologic Soil Group |    |    |    |
|  | A                     | B  | C  | D  |
| Woodland                                     | 30                    | 55 | 70 | 77 |
| Grassland                                    | 39                    | 61 | 71 | 78 |
| Cropland                                     | 55                    | 69 | 78 | 83 |

Table 1

93  
94

94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154

(TABLE TO BE DELETED)

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

.....  
(E) The storm water runoff peak discharge rate and volume requirements of this section of this ordinance do not apply to any of the following:

1. A post-construction site where the discharge is directly into a lake over 5,000 acres or a stream or river segment draining more than 500 square miles. A post-construction site where the change in hydrology due to development does not increase the existing downstream surface water elevation of rivers, streams, or lakes by more than 0.01 foot for the 100-year, 24-hour storm.
2. Except as provided in 4.807(1)(B), a redevelopment post-construction site.
3. An in-fill development of less than 5 acres.

(F) ~~A determination as to whether the exceptions listed in (E) above apply to a particular post-construction site must be made as part of the waiver process described in sec. 4.808(3) of this ordinance.~~

(3) Storm Water Runoff Discharge Quality – Total Suspended Solids. BMPs shall be designed, installed or applied, and maintained to control total suspended solids carried in runoff from the post-construction site as follows:

(A) For new development and in-fill development, by design, reduce to the maximum extent practicable, the total suspended solids load by 80%, based on the average annual rainfall, as compared to no runoff management controls. No person shall be required to exceed an 80% total suspended solids reduction to meet the requirements of this section.

(B) For redevelopment, by design, reduce to the maximum extent practicable, the total suspended solids load generated on parking areas and roads by 40%, based on the average annual rainfall, as compared to no runoff management controls. No person shall be required to exceed a 40% total suspended solids reduction to meet the requirements of this section.

~~(C) For in-fill development under 5 acres that occurs within 10 years after October 1, 2002, by design, reduce to the maximum extent practicable, the total suspended solids load by 40%, based on an average annual rainfall, as compared to no runoff management controls. No person shall be required to exceed a 40% total suspended solids reduction to meet the requirements of this section.~~

~~(D) For in-fill development that occurs 10 or more years after October 1, 2002, by design, reduce to the maximum extent practicable, the total suspended solids load by 80%, based on an average annual rainfall, as compared to no runoff management controls. No person shall be required to exceed an 80% total suspended solids reduction to meet the requirements of this section.~~

~~(E)~~ Notwithstanding paragraphs (A) and to (B), if the design cannot achieve the applicable total suspended solids reduction specified, the storm water management plan shall include a written and site-specific explanation why that level of reduction is not attained and the total suspended solids load shall be reduced to the maximum extent practicable.

155 (4) Infiltration. BMPs shall be designed, installed, and maintained to infiltrate runoff to the  
156 maximum extent practicable in accordance with the following, except as provided in paragraphs  
157 (FE) through (IH).  
158

159 (A) For residential developments one of the following shall be met:  
160

161 1. Infiltrate sufficient runoff volume so that the post-development infiltration  
162 volume shall be at least 90% of the pre-development infiltration volume, based  
163 on an average annual rainfall. However, when designing appropriate infiltration  
164 systems to meet this requirement, no more than 1% of the project site is required  
165 as an effective infiltration area.

166 2. Infiltrate 25% of the post-development runoff from the 2-year, 24-hour  
167 design storm with a type II distribution. Separate curve numbers for pervious and  
168 impervious surfaces shall be used to calculate runoff volumes and not composite  
169 curve numbers as defined in TR-55. However, when designing appropriate  
170 infiltration systems to meet this requirement, no more than 1% of the project site  
171 is required as an effective infiltration area.  
172

173 (B) For non-residential development, including commercial, industrial and  
174 institutional development, one of the following shall be met:  
175

176 1. Infiltrate sufficient runoff volume so that the post-development infiltration  
177 volume shall be at least 60% of the pre-development infiltration volume, based  
178 on an average annual rainfall. However, when designing appropriate infiltration  
179 systems to meet this requirement, no more than 2% of the project site is required  
180 as an effective infiltration area.  
181

182 2. Infiltrate 10% of the runoff from the 2-year, 24-hour design storm with a  
183 type II distribution. Separate curve numbers for pervious and impervious  
184 surfaces shall be used to calculate runoff volumes, and not composite curve  
185 numbers as defined in TR-55. However, when designing appropriate infiltration  
186 systems to meet this requirement, no more than 2% of the project site is required  
187 as an effective infiltration area.  
188

189 (A) Low imperviousness. For development up to 40 percent connected imperviousness,  
190 such as parks, cemeteries, and low density residential development, infiltrate sufficient  
191 runoff volume so that the post-development infiltration volume shall be at least 90  
192 percent of the pre-development infiltration volume, based on an average annual rainfall.  
193 However, when designing appropriate infiltration systems to meet this requirement, no  
194 more than one percent of the post-construction site is required as an effective  
195 infiltration area.  
196

197 (B) Moderate imperviousness. For development with more than 40 percent and up to 80  
198 percent connected imperviousness, such as medium and high density residential,  
199 multi-family development, industrial and institutional development, and office parks,  
200 infiltrate sufficient runoff volume so that the post-development infiltration volume  
201 shall be at least 75 percent of the pre-development infiltration volume, based on an  
202 average annual rainfall. However, when designing appropriate infiltration systems to  
203 meet this requirement, no more than 2 percent of the post-construction site is required  
204 as an effective infiltration area.  
205

206 (C) High imperviousness. For development with more than 80 percent connected  
207 imperviousness, such as commercial strip malls, shopping centers, and commercial  
208 downtowns, infiltrate sufficient runoff volume so that the post-development infiltration  
209 volume shall be at least 60 percent of the pre-development infiltration volume, based  
210 on an average annual rainfall. However, when designing appropriate infiltration systems  
211 to meet this requirement, no more than 2 percent of the post-construction site is  
212 required as an effective infiltration area.  
213

214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276

(DE) Pre-development conditions shall be the same as in paragraph (2).

(EÐ) Before infiltrating runoff, pretreatment shall be required for parking lot runoff and for runoff from new road construction in commercial, industrial and institutional areas that will enter an infiltration system. The pretreatment shall be designed to protect the infiltration system from clogging prior to scheduled maintenance and to protect groundwater quality in accordance with paragraph (LH). Pretreatment options may include, but are not limited to, oil/grease separation, sedimentation, biofiltration, filtration, swales or filter strips.

(EE) Exclusions Source Area Restrictions

1. Prohibitions. The runoff from the following areas may not be infiltrated and shall may not be credited toward meeting the requirements of sec. 4.807(4) unless demonstrated to meet the conditions of 4.807(4)(I). A determination as to whether these exclusions apply to a particular post-construction site must be made as part of the waiver process described in sec. 4.808(3) of this ordinance.

a1. Areas associated with tier 1 industrial facilities identified in NR 216.21 (2) (a), Wis. Adm. Code, including storage, loading, rooftop and parking.

b2. Storage and loading areas of tier 2 industrial facilities identified in NR 216.21 (2) (b), Wis. Adm. Code.

c3. Fueling and vehicle maintenance areas. Rooftops of fueling and vehicle maintenance areas may be infiltrated with the concurrence of the LCD.

2. Exemptions. The runoff from the following areas may be credited toward meeting the requirement when infiltrated, but the decision to infiltrate runoff from these source areas is optional:

a. Parking areas and access roads less than 5,000 square feet for commercial and industrial development not subject to the prohibitions in par 1.

b. Except as provided under 4.807(1)(B), redevelopment post-construction sites.

c. In-fill development areas less than 5 acres.

d. Stand alone roads in commercial, industrial and institutional land uses, and arterial residential roads. Roads that are part of a common plan of development are subject to the standard in this section.

(G) Location of Practices

1. Prohibitions. Infiltration practices may not be located in the following areas:

4 a. Areas within 1000 feet up gradient or within 100 feet down gradient of direct conduits to groundwater karst features.

b. Areas within 400 feet of a community water system well as specified in NR 811.16 (4) Wis. Adm. Code, or within the separation distances as specified in NR 812.08, Wis. Adm. Code, for any private well or non-community well for runoff infiltrated from commercial, including multi-family residential, industrial and institutional land uses or regional devices for one- and two- family residential development.

c. Areas where contaminants of concern, as defined in NR 720.03 (2), Wis. Adm. Code are present in the soil through which infiltration will occur.

2. Separation Distances. Infiltration practices shall be located so that the characteristics of the soil and the separation distance between the bottom of the infiltration system and the elevation of seasonal high groundwater or the top of

277  
278  
279  
280

bedrock area in accordance with Table 2. Applicable requirements for injection wells classified under NR 815 shall be followed.

(NEW TABLE)

| Separation Distances and Soil Characteristics                |                      |   |
|--|----------------------|---|
| Source Area  | Separation Distances | Soil Characteristic   |
| Industrial, Commercial, Institutional Parking Lots and Roads | 5 feet or more       | Filtering Layer   |
| Residential Arterial Roads                                   | 5 feet or more       | Filtering Layer   |
| Roofs Draining to Subsurface Infiltration Practices          | 1 foot or more       | Native or Engineered Soil with Particles Finer than Coarse Sand |
| Roofs Draining to Surface Infiltration Practices             | Not Applicable       |   |
| All Other Impervious Source Areas                            | 3 feet or more       | Filtering Layer   |

281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321

Table 2

3. Infiltration rate exemptions. Infiltration practices located in the following areas may be credited toward meeting the requirements under the following conditions, but the decision to infiltrate under these conditions is optional:

- a. Where the infiltration rate of the soil measured at the bottom of the proposed infiltration system is less than 0.6 inches/hour using a scientifically credible field test method.
- b. Where the least permeable soil horizon to 5 feet below the proposed bottom of the infiltration system using the U.S. Department of Agriculture method of soils analysis is one of the following: sandy clay loam, clay loam, silty clay loam, sandy clay, silty clay, or clay.

5. — Areas with less than 3 feet separation distance from the bottom of the infiltration system to the elevation of seasonal high groundwater or the top of bedrock, except this paragraph does not apply to infiltration of roof runoff.

6. — Areas with runoff from industrial, commercial and institutional parking lots and roads and residential arterial roads with less than 5 feet separation distance from the bottom of the infiltration system to the elevation of seasonal high groundwater or the top of bedrock.

7. — Areas within 400 feet of a community water system well as specified in NR 811.16 (4) (d) 3., Wis. Adm. Code, or within 100 feet of a private well as specified in NR 812.08 (4), Wis. Adm. Code, for runoff infiltrated from commercial, industrial and institutional land uses or regional devices for residential development.

8. — Areas where contaminants of concern, as defined in NR 720.03 (2), Wis. Adm. Code are present in the soil through which infiltration will occur.

9. — Any area where the soil does not exhibit one of the following soil characteristics between the bottom of the infiltration system and the seasonal high groundwater and top of bedrock: at least a 3-foot soil layer with 20% fines or greater; or at least a 5-foot soil layer with 10 percent fines or greater. This does not apply where the soil medium within the infiltration system provides an equivalent level of protection. This paragraph does not apply to infiltration of roof runoff.



322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384

(F) — Exemptions. The following are not required to meet the requirements of this paragraph. A determination as to whether these exceptions apply to a particular post-construction site must be made as part of the waiver process described in sec. 4.808(3) of this ordinance.

1. — Areas where the infiltration rate of the soil is less than 0.6 inches/hour measured at the bottom of the infiltration system.
2. — Parking areas and access roads less than 5,000 square feet for commercial and industrial development.
3. — Redevelopment post-construction sites.
4. — In fill development areas less than 5 acres.
5. — Infiltration areas during periods when the soil on the site is frozen.
6. — Roads in commercial, industrial and institutional land uses, and arterial residential roads.

(HG) Where alternate uses of runoff are employed, such as for toilet flushing, laundry or irrigation or storage on green roofs where an equivalent portion of the runoff is captured permanently by rooftop vegetation, such alternate use shall be given equal credit toward the infiltration volume required by this paragraph.

(IH) Infiltration systems designed in accordance with this paragraph shall, to the extent technically and economically feasible, minimize the level of pollutants infiltrating to groundwater and shall maintain compliance with the preventive action limit at a point of standards application in accordance with NR 140, Wis. Adm. Code. However, if site-specific information indicates that compliance with a preventive action limit is not achievable, the infiltration BMP may not be installed or shall be modified to prevent infiltration to the maximum extent practicable.

(J) Notwithstanding paragraph (IH), the discharge from BMPs shall remain below the enforcement standard at the point of standards application.

(5) Protective Areas.

(A) "Protective area" means an area of land that commences at the top of the channel of lakes, streams and rivers, or at the delineated boundary of wetlands, and that is the greatest of the following widths, as measured horizontally from the top of the channel or delineated wetland boundary to the closest impervious surface. However, in this paragraph, "protective area" does not include any area of land adjacent to any stream enclosed within a pipe or culvert, such that runoff cannot enter the enclosure at this location.

.....  
4. For highly susceptible wetlands, 50 75 feet. Highly susceptible wetlands include the following types: calcareous fens, sedge meadows, open and coniferous bogs, low prairies, coniferous swamps, lowland hardwood swamps, and ephemeral ponds, shrub swamps, other forested wetlands, fresh wet meadows, shallow marshes, deep marshes and seasonally flooded basins. Wetland boundary delineations shall be made in accordance with NR 103.08 (1m) Wis. Adm. Code. This paragraph does not apply to wetlands that have been completely filled in accordance with all applicable state and federal regulations. The protective area for wetlands that have been partially filled in accordance with all applicable state and federal regulations shall be measured from the wetland boundary delineation after fill has been placed.

5. For less susceptible wetlands, 10 percent of the average wetland width, but no less than 10 feet nor more than 30 feet. Less susceptible wetlands include degraded wetlands dominated by invasive species such as reed canary grass, cultivated hydric soils, gravel pits or dredged material or fill material disposal sites that take on the attributes of a wetland.

385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447

.....  
(D) This paragraph does not apply to:

1. Except as provided under 4.807(1)(B), rRedevelopment post-construction sites.

(9) Alternate Requirements.  
.....

(B) ~~The Technical Review Committee~~ LCD shall make recommendations to the LCC LCD concerning any storm water requirements more stringent than those set forth in this section. The LCC shall approve or deny alternative requirements.

#### 4.808 Permits and Waivers

.....

(6) Evaluation and Approval of Applications. Within 10 working days of receipt, the LCD shall review applications to insure they are complete. Any application found to be incomplete shall be returned to the applicant for completion. Upon receiving a complete application, the LCD shall use the following approval/disapproval procedure:

.....  
(B) Completed applications will be evaluated for compliance with the requirements of this ordinance. Other governmental departments ~~or the Technical Review Committee~~ may be consulted during application evaluation.

.....  
(E) Within 20 working days from the receipt of a complete waiver application, or 10 working days from the receipt of additional information requested in accordance with paragraph C, whichever is later, the applicant shall be informed whether the application has been approved or disapproved. The LCD shall base the decision in consideration of the recommendations of ~~the Technical Review Committee~~ other governmental departments and the requirements of this ordinance.

.....  
(J) If the application is disapproved, or if the applicant does not agree with the permit conditions, the applicant may request a review by the ~~Technical Review Committee~~ LCC. This request must be made in writing within 30 calendar days from the date of the applicant was notified of the LCD decision. The schedule and procedure for a waiver described in paragraph (E) above will be followed for this review.

#### 4.813 Definitions

.....

Average Annual Rainfall: a typical calendar year of precipitation as determined by the DNR for users of models such as SLAMM, P8, or equivalent methodology. The average annual rainfall is chosen from a DNR publication for the location closest to the municipality -a calendar year of precipitation, excluding snow, which is considered typical.

.....  
Connected Imperviousness: an impervious surface that is directly connected to a separate storm sewer or water of the state via an impervious flow path or minimally pervious flow path.

.....  
Direct conduits to groundwater: wells, sinkholes, swallets, fractured bedrock at the surface, mine shafts, non-metallic mines, tile inlets discharging to groundwater, quarries, or depressional groundwater recharge areas over shallow fractured bedrock.

.....  
Existing development: development in existence on March 1, 2004, or development for which a storm water management permit application was submitted to the LCD by March 1, 2004

.....  
Filtering layer: soil that has at least a 3-foot deep layer with at least 20 percent fines; or at least a 5-foot deep layer with at least 10 percent fines; or an engineered soil with an

448 equivalent level of protection as determined by the regulatory authority for the site.

449 .....

450 **Impaired water:** a waterbody impaired in whole or in part and listed by the department  
451 pursuant to 33 USC 1313 (d) (1) (A) and 40 CFR 130.7, for not meeting a water quality  
452 standard, including a water quality standard for a specific substance or the waterbody's  
453 designated use.

454 .....

455 **Impervious Surface:** an area that releases as runoff all or a large portion of the precipitation  
456 that falls on it, except for frozen soil. Rooftops, sidewalks, gravel or paved driveways, gravel or  
457 paved parking lots, and gravel or paved streets are examples of surfaces that typically are  
458 impervious.

459 .....

460 **In-fill Area:** an undeveloped area of land located within existing development. "In-fill area"  
461 does not include any undeveloped area that was part of a larger new development plan for  
462 which a storm water permit has previously been approved by the LCD

463 .....

464 **Maximum Extent Practicable:** the highest level of performance that is achievable but is not  
465 equivalent to a performance standard in this chapter. Maximum extent practicable applies  
466 when a person who is subject to a performance standard of this ordinance demonstrates to the  
467 LCD's satisfaction that a performance standard is not achievable and that a lower level of  
468 performance is appropriate. In making the assertion that a performance standard is not  
469 achievable and that a level of performance different from the performance standard is the  
470 maximum extent practicable, an applicant shall take into account the best available technology,  
471 cost effectiveness, geographic features, and other competing interests such as protection of  
472 public safety and welfare, protection of endangered and threatened resources, and preservation  
473 of historic properties, a level of implementing BMPs in order to achieve a performance standard  
474 specified in this chapter which takes into account the best available technology, cost  
475 effectiveness and other competing issues such as human safety and welfare, endangered and  
476 threatened resources, historic properties and geographic features. "Maximum extent  
477 practicable" allows flexibility in the way to meet the performance standards and may vary based  
478 on the performance standard and site conditions.

479 .....

480 **Technical Review Committee:** a committee comprised of the Director of the Land  
481 Conservation Department, a representative of the Planning and Development Agency, a  
482 representative of the Land Conservation Department, and a representative of the Public Works,  
483 Highway and Parks Department, and a representative of the town where the site of a permit or  
484 waiver application is located. If the application site is located within the extraterritorial area of  
485 a city or village a representative of that city or village will be invited to participate as a member  
486 of the committee for that application. If groundwater concerns are among issues the committee  
487 must address, the Public Health Department will be invited to participate as a member of the  
488 committee for that application.

489 .....

490 **Total maximum daily load or TMDL:** the amount of pollutants specified as a function of one  
491 or more water quality parameters, that can be discharged per day into a water quality limited  
492 segment and still ensure attainment of the applicable water quality standard.

493

494 II. This ordinance shall be effective upon publication.

Respectfully submitted:

LAND CONSERVATION COMMITTEE

---

Richard Bostwick, Chair

---

Larry Wiedenfeld, Vice-Chair

---

Eva Arnold

---

Edwin Nash

---

Norvain Pleasant Jr.

---

David Rebout, USDA-FSA Representative

---

Alan Sweeney

---

Fred Yoss

FISCAL NOTE:

No fiscal impact.



Sherry Oja  
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action  
by Wisconsin Statutes sections 59.02, 59.692 and 59.693.



Eugene R. Dumas  
Deputy Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

**Executive Summary**  
**Amending Various Sections of the Rock County Storm Water  
Management Ordinance (4.8)**  
*and*  
**Amending Various Sections of the Rock County Construction Site Erosion  
Control Ordinance (4.11)**

*Please note that complete annotated and non-annotated versions of each ordinance, which incorporate each of the proposed amendments, are available at the County Clerk's office.*

The County of Rock was authorized by the DNR on November 13, 2006 to discharge stormwater from the County owned Municipal Separate Storm Sewer Systems (MS4) in the Urbanized Area under a general Wisconsin Pollutant Discharge Elimination System (WPDES) MS4 permit. The Urbanized Area is determined by population density based on the most recent census. Under the permit language, MS4 means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria: Owned or operated by a municipality, designed or used for collecting or conveying storm water, and which is not a combined sewer conveying both sanitary and storm water.

The County's WPDES MS4 General Permit outlines certain minimum programs and documentation that must be developed and submitted by dates certain. Among the requirements is to adopt and enforce construction site erosion control and post-construction storm water management regulations, which the County has had in place since March 2004. These ordinances have been approved by the DNR in the past, but changes to State Administrative Code NR 151 in January of 2011 are required to be incorporated into local ordinances. The recommended action for each ordinance approves those required changes (including various definitions) along with less substantive changes which are recommended by the LCD based on administrative experiences.

The substantive changes are summarized below with reference to the ordinance section(s):

**Removal of Technical Review Committee (recommended by the LCD for both ordinances):** All references to the Technical Review Committee have been deleted from each Ordinance and changed, where necessary, to LCD and/or LCC. Staff has determined that this additional level of review, requiring input from other departments or local unit of government, is a step in the review process that is not necessary to effectively administer the ordinances. Appeals and/or alternative requirements formerly requiring input from the Technical Review Committee will be processed with a LCD recommendation and LCC decision. The LCD recommendation will still be based on consultation with other entities with jurisdiction over the project.

**Post-Construction Storm Water Management (4.8)**

**Changes to required standards for redevelopment projects:**

1. **(4.805(2)(B)1.e.)** Redevelopment projects are no longer entirely exempt from storm water ordinance requirements under NR 151. Redevelopment projects must meet total suspended solid (TSS) reduction standards (40% reduction, compared to 80%

**Amending Various Sections of the Rock County Storm Water Management Ordinance (4.8) and  
Amending Various Sections of the Rock County Construction Site Erosion Control Ordinance (4.11)**

reduction for new development), however exemptions remain for infiltration and peak discharge standards.

2. **(4.807(1)(B)) Maintenance of effort.** This section is added, based on NR 151, to address redevelopment sites that were previously approved under the storm water ordinance requirements for new development. This section prevents a redevelopment project from being required to meet lesser standards than what were required when originally permitted.

**Changes to the peak discharge rate and volume standards:**

1. ~~(4.807(2)).~~ The one year, twenty-four hour storm event was added to the design requirements in NR 151.
2. (4.807(2)(B)4). The maximum pre-development runoff curve numbers were revised.

**Changes to the storm water runoff discharge quality standards (total suspended solids):**

1. (4.807(3)). Infill development is no longer exempt from TSS reduction standards under NR 151.

**Changes to infiltration standards (4.807(4)):**

This section was entirely reorganized based on the changes to NR 151. The level of infiltration that is required is now based on the level of planned impervious surface, rather than land use type. Also, sections formerly titled “Exclusions” and “Exemptions” have been reorganized to clarify the intent of the standards. Generally, the ordinance now includes criteria for Source Area Restrictions (i.e. the area that drains to an infiltration practice(s)) and the Location of Practices.

**Changes to certain definitions (4.813):** For the most part, the changes to the definitions are directly from NR 151 and are primarily for clarification purposes.

**Construction Site Erosion Control (4.11)**

**Changes to performance standards under NR 151:**

1. (4.1107(1)(B)2.): The method used to estimate the sediment discharged from a project and, subsequently, design a plan to reduce it has been revised. The 80% reduction standard was changed to a standard which allows a maximum of 5 tons per acre per year from a construction site. This level of allowed discharge is consistent with agricultural standards for most of the soils in Rock County. In terms of actual tolerable soil loss, 80% reduction and 5 tons per acre per year are very similar thresholds. However, the acceptable software tools to estimate soil loss and plan the practices to reduce erosion and sedimentation are simpler to use and not cost prohibitive.
2. (4.1107(1)(E)): The addition of other sources of pollutants that must be considered when developing a plan.
3. (4.1107(2)): Implementation techniques are specified to avoid any question of what is required. These points were typically included in the permit conditions of approval, but now are added directly to the performance standards section to be consistent with NR 151.

RESOLUTION NO. \_\_\_\_\_

AGENDA NO. \_\_\_\_\_

**ORDINANCE  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY \_\_\_\_\_



ANDREW BAKER  
DRAFTED BY \_\_\_\_\_

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY \_\_\_\_\_

MARCH 26, 2014  
DATE DRAFTED \_\_\_\_\_

AMENDING VARIOUS SECTIONS OF THE ROCK COUNTY CONSTRUCTION SITE EROSION  
CONTROL ORDINANCE (CHAPTER 4 PART 11)

The County Board of Supervisors of the County of Rock does ordain as follows:

I. Chapter 4, Part 11, of the Rock County Ordinances shall be amended to read as follows (new language underscored, ~~deleted language crossed out~~):

**4.1105 Jurisdiction, Applicability and Waivers**

(2) Applicability

(A) This ordinance applies to the following land disturbing activities:

- 9. Land disturbing activities, on a site of any size, that have been observed to cause, or have been determined likely to result in, undue channel erosion, increased water pollution by scouring or the transportation of particulate matter, or endangerment of property or public safety. The LCC LCD shall make this determination after review and recommendation by the ~~Technical Review Committee~~ LCD.

(3) Waivers

(B) The ~~Technical Review Committee~~ LCD shall be responsible for making recommendations to the LCC concerning all waiver applications.

**4.1107 Performance Standards**

(1) Erosion and Other Pollutant Control Requirements

(B) BMPs shall, by design, reduce pollutants from the construction site to the maximum extent practicable by use of methods including, but not limited to, the following:

- 1. Prevent gully and bank erosion.
- 2. ~~Achieve a reduction of 80% of the sediment load carried in runoff, on an average annual basis, as compared with no sediment or erosion controls until the construction site has undergone final stabilization. The LCD may, upon written approval by the DNR, use a standard that is equivalent to an 80% reduction in sediment load.~~ Discharge no more than 5 tons per acre per year, or to the maximum extent practicable, of the sediment load carried in runoff from initial grading to final stabilization. If BMPs cannot be designed to meet the standard in this paragraph, (B)2., the plan shall include a written and site-specific explanation as to why the standard is not attainable and a statement that the sediment load shall be reduced to the maximum extent practicable.

(E) Sediment controls shall be implemented to do all of the following:

43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102

- 4. Prevent the discharge of sediment from soil stockpiles existing for more than 7 days.
- 5. Prevent the transport by runoff into waters of the state of untreated wash water from vehicle and wheel washing.
- 6. Prevent the transport by runoff into waters of the state of chemicals, cement, and other building compounds and materials on the construction site during the construction period.

(2) Implementation. The BMPs used to comply with the performance standards must be implemented as follows:

- (A) Erosion and sediment control practices shall be constructed or installed before land disturbing construction activities begin in accordance with the approved plan
- (B) Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site.
- (C) Temporary stabilization activity shall commence when land disturbing construction activities have temporarily ceased and will not resume for a period exceeding 14 calendar days.
- (D) BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.

(42) Maintenance. The permit holder shall maintain all BMPs once a week and within 24 hours of each rain of 0.5 inches or more to meet the requirements of this ordinance until the site has achieved final site stabilization and a written BMP removal authorization has been received from the LCD.

(54) Alternate Requirements.

- (A) The LCD may establish erosion and sediment control requirements more stringent than those set forth in this section if the LCD determines that an added level of protection is needed to protect sensitive resources.
- (B) The LCD Technical Review Committee shall make recommendations to the LCC concerning any erosion and sediment control requirements more stringent than those set forth in this section.

**4.1108 Permits and Waivers**

- (4) Erosion and Sediment Control Plans
  - (A) Plan Requirements for Class One Land Disturbing Activities.

3. Each plan shall include a description of interim and permanent BMPs that will be implemented at the site to prevent pollutants from reaching waters of the state or adjacent property. The plan shall clearly describe the appropriate control measure(s) for each major activity and the timing during the land disturbing activity. The BMPs shall meet, when appropriate, the following minimum requirements:

- a. Preservation of existing vegetation where possible, minimize soil compaction and preservation of topsoil;

(5) Evaluation Of Applications. Within 10 working days of receipt, the LCD shall review applications to insure they are complete. Any application found to be incomplete shall be returned to the applicant for completion. Upon receiving a complete application, the LCD shall use the following procedure:



103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163

(A) Completed applications will be evaluated for compliance with the requirements of this ordinance. Other governmental departments ~~or the Technical Review Committee~~ may be consulted during application evaluation.

.....  
(D) Within 20 working days from the receipt of a complete waiver application, or 10 working days from the receipt of additional information requested in accordance with paragraph (B), whichever is later, the applicant shall be informed whether the application has been approved or disapproved. The LCD shall base the decision in consideration of the recommendations of the ~~Technical Review Committee~~ other governmental departments and the requirements of this ordinance.

.....  
(I) If the application is disapproved, or if the applicant does not agree with the permit conditions, the applicant may request a review by the ~~Technical Review Committee~~ LCC. This request must be made in writing within 30 calendar days from the date of the applicant was notified of the LCD decision. The schedule and procedure for a waiver described in paragraph (D) above will be followed for this review.

.....  
(8) Permit Conditions. All permits issued under this ordinance shall be subject to the following conditions, and holders of permits issued under this ordinance shall be deemed to have accepted these conditions. Compliance with this permit does not relieve the permit holder of the responsibility to comply with other applicable federal, state and local laws and regulations. All permits shall require the permit holder to:

.....  
(J) Complete all seeding or mulching called for in the plan by the next September 15<sup>th</sup> or as soon as possible after final grade has been reached on any portion of the site. If either permanent or temporary soil stabilization by seeding or mulching is not accomplished by September 15, additional erosion control practices will be required. These practices may include additional mulching, application of erosion control matting, sodding, or application of polymer tackifiers. These additional practices will be prescribed by the LCD according to sec. 4.1108(6).

#### 4.1113 Definitions

.....  
**Maximum Extent Practicable:** the highest level of performance that is achievable but is not equivalent to a performance standard in this chapter. Maximum extent practicable applies when a person who is subject to a performance standard of subchs. III and IV demonstrates to the LCD's satisfaction that a performance standard is not achievable and that a lower level of performance is appropriate. In making the assertion that a performance standard is not achievable and that a level of performance different from the performance standard is the maximum extent practicable, an applicant shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties. ~~a level of implementing BMPs in order to achieve a performance standard specified in this chapter which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. "Maximum extent practicable" allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.~~

.....  
**Technical Review Committee:** ~~a committee comprised of the Director of the Land Conservation Department, a representative of the Rock County Planning and Development Agency, a representative of the Rock County Land Conservation Department, and a representative of the Public Works, Highway and Parks Department.~~

II. This ordinance shall be effective upon publication.

Respectfully submitted:

LAND CONSERVATION COMMITTEE

---

Richard Bostwick, Chair

---

Larry Wiedenfeld, Vice-Chair

---

Eva Arnold

---

Edwin Nash

---

Norvain Pleasant Jr.

---

David Rebut, USDA-FSA Representative

---

Alan Sweeney

---

Fred Yoss

FISCAL NOTE:

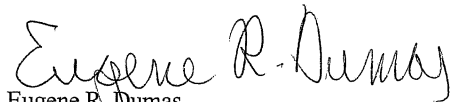
No fiscal impact.



Sherry Oja  
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes sections 59.02, 59.692 and 59.693.



Eugene R. Dumas  
Deputy Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

## Executive Summary

### **Amending Various Sections of the Rock County Storm Water Management Ordinance (4.8)**

*and*

### **Amending Various Sections of the Rock County Construction Site Erosion Control Ordinance (4.11)**

*Please note that complete annotated and non-annotated versions of each ordinance, which incorporate each of the proposed amendments, are available at the County Clerk's office.*

The County of Rock was authorized by the DNR on November 13, 2006 to discharge stormwater from the County owned Municipal Separate Storm Sewer Systems (MS4) in the Urbanized Area under a general Wisconsin Pollutant Discharge Elimination System (WPDES) MS4 permit. The Urbanized Area is determined by population density based on the most recent census. Under the permit language, MS4 means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria: Owned or operated by a municipality, designed or used for collecting or conveying storm water, and which is not a combined sewer conveying both sanitary and storm water.

The County's WPDES MS4 General Permit outlines certain minimum programs and documentation that must be developed and submitted by dates certain. Among the requirements is to adopt and enforce construction site erosion control and post-construction storm water management regulations, which the County has had in place since March 2004. These ordinances have been approved by the DNR in the past, but changes to State Administrative Code NR 151 in January of 2011 are required to be incorporated into local ordinances. The recommended action for each ordinance approves those required changes (including various definitions) along with less substantive changes which are recommended by the LCD based on administrative experiences.

The substantive changes are summarized below with reference to the ordinance section(s):

**Removal of Technical Review Committee (recommended by the LCD for both ordinances):** All references to the Technical Review Committee have been deleted from each Ordinance and changed, where necessary, to LCD and/or LCC. Staff has determined that this additional level of review, requiring input from other departments or local unit of government, is a step in the review process that is not necessary to effectively administer the ordinances. Appeals and/or alternative requirements formerly requiring input from the Technical Review Committee will be processed with a LCD recommendation and LCC decision. The LCD recommendation will still be based on consultation with other entities with jurisdiction over the project.

### **Post-Construction Storm Water Management (4.8)**

#### **Changes to required standards for redevelopment projects:**

1. **(4.805(2)(B)1.e.)** Redevelopment projects are no longer entirely exempt from storm water ordinance requirements under NR 151. Redevelopment projects must meet total suspended solid (TSS) reduction standards (40% reduction, compared to 80%

**Amending Various Sections of the Rock County Storm Water Management Ordinance (4.8) and  
Amending Various Sections of the Rock County Construction Site Erosion Control Ordinance (4.11)**

reduction for new development), however exemptions remain for infiltration and peak discharge standards.

2. **(4.807(1)(B)) Maintenance of effort.** This section is added, based on NR 151, to address redevelopment sites that were previously approved under the storm water ordinance requirements for new development. This section prevents a redevelopment project from being required to meet lesser standards than what were required when originally permitted.

**Changes to the peak discharge rate and volume standards:**

1. (4.807(2)). The one year, twenty-four hour storm event was added to the design requirements in NR 151.
2. (4.807(2)(B)4). The maximum pre-development runoff curve numbers were revised.

**Changes to the storm water runoff discharge quality standards (total suspended solids):**

1. (4.807(3)). Infill development is no longer exempt from TSS reduction standards under NR 151.

**Changes to infiltration standards (4.807(4)):**

This section was entirely reorganized based on the changes to NR 151. The level of infiltration that is required is now based on the level of planned impervious surface, rather than land use type. Also, sections formerly titled “Exclusions” and “Exemptions” have been reorganized to clarify the intent of the standards. Generally, the ordinance now includes criteria for Source Area Restrictions (i.e. the area that drains to an infiltration practice(s)) and the Location of Practices.

**Changes to certain definitions (4.813):** For the most part, the changes to the definitions are directly from NR 151 and are primarily for clarification purposes.

**Construction Site Erosion Control (4.11)**

**Changes to performance standards under NR 151:**

1. (4.1107(1)(B)2.): The method used to estimate the sediment discharged from a project and, subsequently, design a plan to reduce it has been revised. The 80% reduction standard was changed to a standard which allows a maximum of 5 tons per acre per year from a construction site. This level of allowed discharge is consistent with agricultural standards for most of the soils in Rock County. In terms of actual tolerable soil loss, 80% reduction and 5 tons per acre per year are very similar thresholds. However, the acceptable software tools to estimate soil loss and plan the practices to reduce erosion and sedimentation are simpler to use and not cost prohibitive.
2. (4.1107(1)(E)): The addition of other sources of pollutants that must be considered when developing a plan.
3. (4.1107(2)): Implementation techniques are specified to avoid any question of what is required. These points were typically included in the permit conditions of approval, but now are added directly to the performance standards section to be consistent with NR 151.

RESOLUTION NO. \_\_\_\_\_

AGENDA NO. \_\_\_\_\_

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Committee  
INITIATED BY



Thomas Sweeney  
DRAFTED BY

Land Conservation Committee  
SUBMITTED BY

February 27, 2014  
DATE DRAFTED

AMENDING THE 2014 LAND CONSERVATION DEPARTMENT BUDGET  
GYPSY MOTH SUPPRESSION

1 **WHEREAS**, the Land Conservation Committee has elected to participate in the 2014 State  
2 Cooperative Gypsy Moth Suppression Program; and,  
3  
4 **WHEREAS**, Wisconsin Administrative Code NR 47, requires an agency of the county to coordinate  
5 the program and act as the grant recipient; and,  
6  
7 **WHEREAS**, the Land Conservation Department has taken the appropriate action and has been  
8 designated by the WDNR as the Coordinating Agency for Rock County; and,  
9  
10 **WHEREAS**, the landowners in the unincorporated area of Afton have requested the Land  
11 Conservation Department investigate the outbreak of Gypsy Moth and determine if the area is eligible  
12 for treatment under the State Cooperative Gypsy Moth Suppression Program; and,  
13  
14 **WHEREAS**, the Land Conservation Department conducted the appropriate field work and determined  
15 that the impacted area met all program guidelines; and,  
16  
17 **WHEREAS**, the Land Conservation Department has submitted a grant application to the DNR for  
18 treatment of 29 plus acres in the Town of Rock and unincorporated area of Afton; and,  
19  
20 **WHEREAS**, the WDNR has agreed that the mapped area submitted as part of the grant application meets  
21 the program criteria and is eligible for grant funding, if federal cost sharing becomes available; and,  
22  
23 **WHEREAS**, all grants received for this program are based on a 50/50% match; and,  
24  
25 **WHEREAS**, if grant funding does not become available, the Land Conservation Department will use  
26 the gypsy moth suppression program fund balance to cover all appropriate costs associated with the  
27 treatment of the infested area.

28  
29 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors duly  
30 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2014 does hereby approve the Gypsy Moth  
31 Suppression Grant and amends the 2014 Land Conservation budget as follows:

| <u>A/C DESCRIPTION</u>                          | <u>BUDGET AT<br/>01/01/2014</u> | <u>INCREASE<br/>(DECREASE)</u> | <u>AMENDED<br/>BUDGET</u> |
|---|---------------------------------|--------------------------------|---------------------------|
| <b>Source of Funds:</b>                         |                                 |                                |                           |
| 62-6340-0000-41000<br>Federal Aid               | \$0                             | \$2,000                        | \$2,000                   |
| <b>Use of Funds:</b>                            |                                 |                                |                           |
| 62-6340-0000-62119<br>Other Contracted Services | \$0                             | \$2,000                        | \$2,000                   |

42  
43 **BE IT FURTHER RESOLVED**, that the Rock County Board of Supervisors approves the Land  
44 Conservation Committee to enter into an agreement with the DNR for the aforementioned project and  
45 approves all expenditures associated with the projects implementation.

AMENDING THE 2014 LAND CONSERVATION DEPARTMENT BUDGET GYPSY MOTH  
SUPPRESSION

Page 2

Respectfully submitted,

**Land Conservation Committee**

**Finance Committee Endorsement**  
Reviewed and approved on a vote of

\_\_\_\_\_  
Richard Bostwick, Chair

\_\_\_\_\_  
Larry Wiedenfeld, Vice Chair

\_\_\_\_\_  
Eva Arnold

\_\_\_\_\_  
Edwin Nash

\_\_\_\_\_  
Norvain Pleasant, Jr.

\_\_\_\_\_  
David R. Rebout, USDA-FSA

\_\_\_\_\_  
Alan Sweeney

\_\_\_\_\_  
Fred Yoss

\_\_\_\_\_  
Mary Mawhinney, Chair

**FISCAL NOTE:**

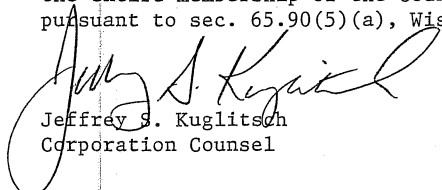
This resolution authorizes the acceptance and expenditure of \$2,000 in Federal Aid for the Gypsy Moth Suppression program. If the grant funding does not become available, a transfer in from the Gypsy Moth Suppression program fund balance, which has a current balance of \$16,845, will be used as the funding source.



Sherry Oja  
Finance Director

**LEGAL NOTE:**


The County Board is authorized to accept grant funds pursuant to sec. 59.52(19), Wis. Stats. As an amendment to the adopted 2014 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.



Jeffrey S. Kuglitsch  
Corporation Counsel

**ADMINISTRATIVE NOTE:**

Recommended.



Craig Knutson  
County Administrator

## **EXECUTIVE SUMMARY**

This resolution requests the Land Conservation Department's budget be amended to include the Gypsy Moth Suppression Program. The Wisconsin Department of Natural Resources and landowners in the Town of Rock approached the Land Conservation Department in September of 2013, to coordinate this program. The Land Conservation Department identified a high population of this very destructive moth in Afton, along Bass Creek. The Land Conservation Committee agreed to coordinate the program for Rock County and submit all necessary grant application materials for the suppression of the Gypsy Moth population identified in Rock County.

A grant request was submitted to the DNR in December 2013 to support suppression activities and aerial spraying. The County LCD received notification of a grant approval notice, contingent on Federal Cost Sharing availability, on February 26, 2014. The grant received from the US Forest Service, through DNR is based on a 50% local match and 50% Federal match. The local match, or full funding will come from the Gypsy Moth Suppression program fund balance.