



# Washington County

## Planning and Parks Department

### Land and Water Conservation Division

**CITIZEN ADVISORY COMMITTEE (CAC)**  
**Public Agency Center - Room 3005**  
**Minutes**  
**2/16/2010**

The meeting was called to order at 5:07 p.m. by Mr. Gonnering, Washington County Board Supervisor. Mr. Gonnering read the affidavit of posting noting that the proper news media had been contacted and that the affidavit was posted in the County Clerks office. Those present included the following:

Citizen Advisory Committee Members\*

Member	Affiliation
<i>*Karl Glunz</i>	<i>Friess Lake Advancement Association &amp; Resident of the Village of Richfield</i>
<i>*Ross Bishop</i>	<i>Washington County Farm Bureau &amp; Resident of the Town of Jackson &amp; Washington County Farmer</i>
<i>*George Muth</i>	<i>Washington County Farm Bureau &amp; Washington County Farmer &amp; Resident of the Town of Farmington</i>
<i>*Brian Russart</i>	<i>Milwaukee County Parks/UW-Extension, Resident of Village of Slinger</i>
<i>*Joseph Gonnering</i>	<i>Washington County Board Supervisor &amp; Town of Trenton Plan Commission</i>
<i>*William Ripp, PE</i>	<i>City of Hartford Engineer</i>
<i>*Shawn Graff</i>	<i>Ozaukee Washington Land Trust, Executive Director &amp; Resident of Village of Slinger</i>
<i>*Roger Walsh</i>	<i>Big Cedar Lake Protection &amp; Rehabilitation District &amp; Town of West Bend Resident</i>

<i>Other Agencies/County Staff</i>	
<i>Sharon Gayan</i>	<i>Wisconsin Department of Natural Resources</i>
<i>Justin Shell, Coordinator for the Land &amp; Water Resource Management Plan</i>	<i>Department of Agriculture, Trade &amp; Consumer Protection</i>
<i>Gary Korb</i>	<i>Southeast Regional Planning Commission – University of Wisconsin Extension</i>
<i>Wendy Fiala, Soil Conservationist</i>	<i>USDA-Natural Resources Conservation Service</i>
<i>Jill Hapner, PhD</i>	<i>Washington County LWCD**</i>
<i>Scott M. Schmidt, PE., R.L.S.,</i>	<i>Washington County LWCD</i>
<i>Paul Sebo, Senior Technician</i>	<i>Washington County LWCD</i>
<i>Stephanie Hofmann, CCA, Project Technician</i>	<i>Washington County LWCD</i>
<i>Paul Backhaus, CCA, Project Technician</i>	<i>Washington County LWCD</i>
<i>Fay Fitts, Administrative Secretary</i>	<i>Washington County LWCD</i>

*\*\* Land & Water Conservation Division*

Introductions were made by all present. Mr. Gonnering noted that Mr. Kevin Dittmar, Metropolitan Builders Association and a member of the Citizen Advisory Committee was absent. All other CAC members were in attendance. Dr. Hapner noted that Ms. Deb Sielski, Planning & Parks Deputy Administrator had a conflict and could not attend tonight's meeting.

**Overview of CAC responsibilities – Justin Shell, Department of Agriculture, Trade & Consumer Protection (DATCP)**

Mr. Shell gave a brief overview of the responsibilities of the CAC members, recommending that the committee tie this revision into the Washington County Smart Growth Comprehensive Plan process, noting also that Dr. Hapner had provided the committee with information regarding the history and background of the Land & Water Management (LWRM) Plan process along with hard copies of the current plan. Mr. Shell stated that the CAC should help to identify current local issues of concern, which translate into plan goals. He noted that the CAC members should also consider incorporating new resource concerns that may arise in the next ten years or are known (such as including groundwater issues or other concerns) into a work plan strategy which could secure future cost sharing grants or other program funding.

**Election of Chairperson – Joseph Gonnering**

**Mr. Joseph Gonnering opened the floor for nominations of CAC Chairperson. Mr. Ripp motioned to nominate Mr. Gonnering, seconded by Mr. Graff. Mr. Gonnering accepted the nomination. Mr. Gonnering twice entertained the floor seeking any other nominations. No other nominations came forward. Mr. Gonnering noted that there being no other nominations, nominations were closed. Vote count taken, unanimous decision in favor of Mr. Joseph Gonnering, Chair of the Citizen Advisory Committee.**

### **Election of Vice Chairperson – Newly elected Chairperson**

**Mr. Gonnering, CAC Chairperson entertained the floor for nominations of CAC, Vice Chair. Mr. Graff motioned to nominate Mr. Ross Bishop, seconded by Mr. Ripp. Mr. Bishop accepted the nomination. Mr. Gonnering twice entertained the floor seeking any other nominations. No other nominations came forward. Mr. Gonnering noted that there being no other nominations, nominations were closed. Vote count taken, unanimous decision in favor of Mr. Ross Bishop, Citizen Advisory Committee, Vice Chair.**

### **Land & Water Resource Management Plan progress to-date and potential staff revisions - LWCD staff**

Dr. Hapner distributed hard copies of plan objectives for the committee to review, stating that each of the eight elements consisting of planned actions and outcomes are represented in a table, noting that a new column was added to reflect staff updates and comments. Dr. Hapner noted that the bolded items represent measurable outcomes. An expanded list of program acronyms was also distributed for review and was included in the handouts. The entire eight elements were reviewed and read in detail with committee members, the following being discussed and noted at length.

### **DEVELOPMENT ISSUES –**

Dr. Hapner reviewed each of the objectives listed in the element with the committee members.

#### **#2. Protect and maintain woodlands, environmental corridors, exceptional water resources, and unique geological areas; protect threatened and endangered species.**

Mr. Graff noted that the Natural & Critical Areas Report 42 was near completion and will be reviewed by the SEWRPC board on March 16, 2010. The Commission is still willing to accept modifications to the plan. Mr. Korb also noted that if more sites are found or need to be changed to a different status in the future, that information can be included as an update through committee recommendation without waiting 10 years for the revision. Mr. Korb noted that the SEWRPC website has the most current information posted.

#### **Comments:**

Mr. Korb recommended that SEWRPC should be added as a partner regarding woodlands, environmental corridors.

Mr. Korb noted that the Southeast area looks forward to the 2010 Southeast Area Tour hosted by Washington County. He noted that past Washington County tours were very successful, especially when the mascot “Dripper” made an appearance. Mr. Korb noted that a tour can also take on a different form such as a site field day without a bus involved. Mr. Graff noted that Ozaukee County is promoting “The Treasurers in Oz” which are self guided tours highlighting several natural areas in the County. Mr. Graff agreed with Mr. Korb’s concept, noting that it’s a win, win situation all around.

**#4. Increase the use of conservation-minded development practices.** Mr. Sebo noted that this objective is tied into the Working Lands Initiative Plan regarding clustered housing density, it also ties into the Farmland Preservation Plan and Smart Growth Comprehensive Plan. Dr. Hapner noted that the Farmland Preservation Plan will be updated within the next year and the LWRMP will need to mirror goals stated in both the Farmland Preservation Plan and the Comprehensive Plan.

**#8. Improved intergovernmental cooperation with urban, rural and county.** Dr. Hapner noted that no year should be included – recommended to remove year 2007

**#9. Promote identification, control and management of invasive plant and animal species. Added as an update to the plan in 2008.** This was noted as a new objective was added as an update in 2008 to Land & Water Resource Management Plan. Dr. Hapner noted that the LWCD receives numerous requests for plant

identification and invasive species management information. Also, Emerald Ash Borer and Red Swamp Crayfish populations were recently identified in the county. The Southeastern Wisconsin Invasive Species Consortium (SEWISC) has taken a lead role in invasive species education and outreach and Washington County has signed a Memorandum of Understanding with the SEWISC. She noted that the Washington County Highway Department also plans to begin controlling invasive species along the highways.

Comments:

Mr. Graff also noted that this objective was added to the Comprehensive Plan and it's great to see that it will be included in this plan also.

**FERTILIZER AND PESTICIDE ISSUES –**

Ms. Hofmann reviewed each of the objectives listed in the element with the committee members.

#1. Assist farmers and private consultants with the development and implementation of nutrient management plans on cropland. It was noted that the LWCD had previously explored providing different testing procedures for nutrient management recommendations for compliance such as using non-state approved labs and agronomists.

Comments:

Mr. Bishop noted that an alternative consultant was established in the farming community, but unfortunately he was not state approved and did not follow UW standards. Although the community found him very useful, the farmers could not obtain state funding when following his recommendations for nutrient management plans. Mr. Sebo noted that the LWCD researched mechanisms by which a single individual could be state-certified and found that it was virtually impossible. Mr. Sebo noted that in the NR151 Administrative Code allows farmers to be self-certified and to sign off on the consultant's plan recommendations to obtain funding and this method is currently used. Mr. Bishop noted that he is in agreement with the current methods.

#2. Increase awareness of the proper use of fertilizer, pesticide and de-icers and promote natural landscaping (non-agricultural). – Promote lawn testing and use of low/no phosphorus fertilizer. Providing information to the public concerning the regulations associated with phosphorus in fertilizer will be ongoing. Dr. Hapner noted that this became state law in 2009. The law states that phosphorus can be used to establish a new lawn or if a soil test indicates a need for it.

Comments:

Mr. Glunz questioned if the county is going to check out suppliers in the area to see if they are abiding by state standards and selling the fertilizer properly. The committee questioned who has jurisdiction or enforcement authority over the rule, questioning if it is DNR or DATCP. Ms. Gayan offered to make inquiries and bring her finding to the committee. The information can be posted on the website and in the newsletters.

#3. Monitor quantities and locations of sludge and septic applications. Annual sludge reports are currently obtained from DNR. Dr. Hapner noted that the Division is receiving GIS digital shape files or records of properties that are approved for spreading. Dr. Hapner expressed benefits to obtaining additional information such as which approved sites are used and how often, and if the approved sites are removed from the list as a result of land use changes.

Comments:

Mr. Bishop commented that he witnessed farmers around the county last summer applying sludge, and asked if the County is notified of the practices. Dr. Hapner replied that we do not receive notice when spreading occurs.

Ms. Gayan noted that not all the fields are used on a regular basis and it is a low priority item right now for the Department of Natural Resources, because of diminished staff availability. There is a criterion that needs to be met and followed before spreading occurs, including limits by soil tests recommendations, specific properties of the sludge material, and limits to the amounts approved per field. She noted that information on how often the field is used and the time of application is recorded.

Ms. Hofmann noted that the only time the subject arises when working with a landowner is during nutrient management discussions and planning. She noted it is very difficult to tie that information into a nutrient management plan.

Mr. Bishop noted that as a farmer, he needs to have an approved nutrient management plan because of cattle manure, but if he has sludge/septic material he doesn't need a plan. Ms. Gayan stated that the farmer would need approval to spread the sludge/septic material on certain fields, as the material is permitted and recorded through the DNR. The county does not get involved because it is a state program.

Mr. Sebo noted that there are two different administrative codes for different areas. If a farmer has a nutrient management plan, the farmer must incorporate all materials that are applied to the crops, including sludge and septic. He noted that under the current rule for sludge or septic, they can apply those materials under the nitrogen standard level, and the phosphorus level is not considered. The administrative rule may be changed in the future to address phosphorus levels rather than nitrogen levels.

Mr. Bishop noted that he saw material oozing out of the ground even though it was incorporated into the soil during the month of August and was surprised that a plan was not needed.

Ms. Gayan reassured Mr. Bishop that the farmer does need a plan. All the fields are outlined in terms of designating acceptable soil (by means of a proper soil test) and the amount of material spreading that can occur on the field. There can be absolutely no runoff into a waterway whether it is dry or wet, and no runoff can occur into wetlands. Fields are not used continuously, but rather, on a rotational basis. She noted that fields for spreading are becoming less available. She also noted that in emergency situations (when there is no ideal place to take it) septic spreading does occur. At the next meeting, Ms. Gayan offered to show the committee a map and provide the administrative rules that govern the standard. The sludge test requirements include findings of sludge properties (such as heavy metals or PCB's), and sludge nutrients. Sludge cannot be applied during snow melt or rain events. Any material oozing out of the soil and entering a waterway is considered a violation and should be reported through the WDNR Spill Hotline and the WDNR warden would then follow through with the call. She noted that this is regulated very heavily. This sludge test information would then be added to the nutrient management plan.

Mr. Sebo reiterated that the field needs a current soil test before they start spreading the sludge/septic, the soil test indicates what crops are grown and what nutrients the crop needs. The spreading is done on a case by case basis, it's not a whole farm plan such as an approved nutrient management plan.

## **STORMWATER MANAGEMENT ISSUES**

Mr. Schmidt reviewed each of the objectives listed in the element with the committee members.

#1. Expand the adoption and implementation of the county's erosion control and stormwater management ordinance or equivalent for new developments.

### Comments:

Ms. Gayan noted that WDNR is reviewing commercial sites taken over from the Department of Commerce so the WDNR needs to be added as an agency.

#2. Ensure the long-term function and maintenance of stormwater facilities. Mr. Schmidt explained information regarding NR216 and the permit required for a community, noting that the Village of Richfield will probably be regulated during the next census because they now hold Village status. Mr. Ripp noted that the City of Hartford, City of West Bend, Village of Germantown area now regulated by the DNR through NR216 permitting.

#3. Increase the use of regional stormwater practices (RSP's). Mr. Schmidt noted that it was very difficult to promote the regional stormwater basins especially in rural or outlying areas due to lack of willing partners and landowners along with ownership issues. Furthermore, with new higher infiltration standards, large regional ponds are not as likely. However, if the opportunity to install a regional stormwater practice arises, it will be done on a site by site basis.

### Comments:

Mr. Ripp noted that "in a perfect world, a regional pond is the way to go".

Mr. Ripp stated that in his opinion regarding storm drain stenciling, buying the pre-painted casting is much better solution because it avoids any indications from the public as being a sign of vandalism.

Mr. Schmidt also recommended adding the WDNR to the last objective (#5).

Mr. Korb indicated that this could also be a conceivable concept in non-incorporated areas regarding outreach workshops.

#4. Assist municipalities with the adoption of the developed urban areas performance standards.

### Comments:

Mr. Glunz indicated the MUN-Municipalities should be changed to LG – Local Government.

## **ANIMAL WASTE ISSUES -**

Mr. Sebo reviewed each of the objectives listed in the element with the committee members.

#1. Continue application of the County's Manure Storage Ordinance (Chapter 16). Mr. Sebo indicated that the ordinance was recently updated to include requirements for manure storage abandonment and expansion permits. Staff recommended reducing inspections of manure facilities to 10%, combining two similar actions, and bolding the items to include a measurable outcome.

### Comments:

Mr. Shell noted that as a way of prioritizing and measuring outcomes, hard numbers need to be reported to planned actions and outcome to measure success and as a means to attaining or meeting goals. Staff is recommending merging 2 planned actions together regarding inspections of 10% of manure facilities to be performed in concert with nutrient management spot checking. Dr. Hapner indicated that the CAC members will also rank all the objectives listed in the plan.

Mr. Ripp noted that if LWCD regulates in the Village of Richfield – the term Village Official’s should also be included.

#2. Ensure that all livestock operations have: No overflowing manure storage facilities; No unconfined manure stacks with Water Quality Management Areas ; No director runoff from feedlots or stored manure to water resource; No animals in streams where degradation of the streambank has or will likely occur. Mr. Sebo noted that a Memorandum of Understanding (MOU) was signed approximately 5 years ago between the WDNR and Washington County regarding the WDNR state performance standards specifically known as NR151. The MOU outlines implementation and enforcement obligations and jurisdictions. Mr. Sebo noted that a systematic process regarding the process of implementing the standard and issues regarding cost sharing and inspections was developed through the MOU.

Comments:

Ms. Gayan noted that the staff has been doing a very good job on implementing the standard.

**GROUNDWATER ISSUES –**

Mr. Backhaus reviewed each of the objectives listed in the element with the committee members.

1. Ensure a safe drinking water supply. Develop an outreach program increase well water sampling. Dr. Hapner noted that this well water testing program has been working out great and she is very pleased with the outcome, noting that test results will be sent to the LWCD as a GIS database. Working with the Center for Watershed Science and Education, the data collected will eventually produce a county-wide public report as was recently developed for Dodge County. Mr. Backhaus noted that eventually a groundwater management plan may be a potential project for the County.

Comments:

Mr. Ripp noted that very few City of Hartford residents have private wells. Every year a few residents are converted over to the municipal water supply.

2. Protect/preserve groundwater recharge areas, springs and other discharge points that feed cold water streams. Continue with Quaas Creek Watershed Protection Project and Watershed Protection Plan implementation. Dr. Hapner noted that she added the City of West Bend as taking the lead on this project, noting that the plan may be a good model for watershed planning on paper but little has been done to implement the plan.

Comments:

Mr. Graff noted that as referenced in #1, a comprehensive groundwater management plan for Washington County could be added as a goal under the #2 objective.

Mr. Korb suggested that SEWRPC also be included under the agency.

Mr. Gonnering questioned if the Quaas Creek Plan would ever be implemented if no party takes the lead, adding that taking the role of “assisting” does not get the job done. Dr. Hapner noted that a LWCD

contribution could be to help resurrect the effort of implementation. Mr. Gonnering noted that the lead agencies could be listed on the LWCD website and/or in newsletters. Mr. Schmidt noted that all the municipalities involved with the watershed should have included this implementation effort in their budgets regarding their comprehensive planning process.

4. Identify practices and educate homeowners on conservation measure they can use to decrease water consumption within the household. Mr. Backhaus noted that UW Geological Sciences Department has initiated a groundwater level study around the Big Cedar Lake area. Dr. Hapner noted that 189 letters were mailed recently to residents around the lake requesting volunteers for the study, noting that the County is partnering with the UW study.

Comments:

Mr. Walsh commented that this idea was brought forward a couple of years ago, presented to the Towns, but one of the Towns did not respond. Dr. Hapner noted that a map of the targeted areas is available from the LWCD.

**Ms. Gayan was excused at 6:45 pm.**

**SOIL SUSTAINABILITY ISSUES–**

Dr. Hapner reviewed each of the objectives listed in the element with the committee members.

2. Increase the establishment and maintenance of vegetated buffer strips along lakes and streams. Dr. Hapner noted that the LWCD would like to develop a targeted buffer program to effectively augment existing programs, one that works on the ground.

4. Reduce soil loss to 1/3 T from all fields within Water Quality Management Areas (WQMA). Mr. Sebo noted that this was a goal from the original LWRM plan, and since that plan draft, a buffer requirement was removed in the NR151 standard. Mr. Sebo noted that CAC members will need to identify if this is still a viable objective based on the new performance standards.

**NONMETALLIC MINING ISSUES–**

Mr. Schmidt reviewed the objective listed in the element with the committee members.

Mr. Schmidt noted that this covers nonmetallic mining reclamation efforts. Washington County currently regulates 13 sites and the code went into effect in August of 2001. Financial *guarantees* are the preferred financial instrument as stated in Chapter 17 and financial *assurances* are the preferred financial instrument as stated in Chapter 18.

**WASTE MANAGEMENT ISSUES -**

Dr. Hapner reviewed each of the objectives listed in the element with the committee members.

Dr. Hapner noted that the LWCD is very excited to host a full service Clean Sweep in 2010 for the residents of Washington County. A long-time goal of the LWCD has been to develop a permanent waste collection program, and the 2010 collection is almost entirely through County levy. The new quarterly full-service collection will provide hazardous, electronic, and pharmaceutical waste disposal, and be limited to 115 pre-registered residents per event. A pharmaceutical collection grant was obtained and four collections will be held concurrent with the full-service event for all residents at no charge. A used tire collection is also planned in August for all residents (fees will apply). It was noted that the Finance Committee has suggested the Land Conservation Committee secure a permanent source of funding for this program. The CAC committee agreed that this is a very popular program.

Comment:

Mr. Graff suggested the goal state “establish permanent funding source” rather than seek funding source.

Mr. Gonnering noted that this is something that affects all residents of the County.

**Assignment of CAC and staff tasks Ranking/Prioritizing Plan Issues & Objectives**

Dr. Hapner distributed copies of the eight Land & Water Resource Plan workplan objectives noting that she would like each member of the committee to review the documents and rank each of the plan issues/objectives as they deem appropriate. She indicated that objectives can be added and/or deleted. She also indicated that a digital version would be sent to them if they prefer to use the computer. It was noted that the committee members can either fax, mail or email their responses to the LWCD upon completion, noting a deadline of two weeks. All CAC comments will be incorporated into one document and reviewed at the next CAC meeting. The text portion of the plan will also be discussed during the next meeting.

**Adjournment**

Mr. Gonnering stated that there being no further business he entertained a motion to adjourn.

**Mr. Ripp motioned to adjourn the meeting, seconded by Mr. Graff. Motion carried.**

Meeting adjourned at 6:55 p.m.

Respectfully Submitted,

Fay Fitts,  
Recording Secretary