

**Kewaunee County Land and Water Conservation Regularly Scheduled Committee Meeting  
Kewaunee County Fairgrounds Office December 10, 2019 8:15 AM  
Minutes**

**1). Call to Order:** Meeting called to order at 8:15 AM by Chairman Charles Wagner

**2). Roll Call:** Committee Members present: Charles Wagner, Gary Paape, Aaron Augustian & Clark Riemer  
Excused: Lee Luft

UWEX – Aerica Bjurstrom; NRCS – Joe Johnson; County Board Members: Mimi Dobbins & Robert Weidner

**3). Approval/Repair of Agenda:** Motion to approve the December 10<sup>th</sup> agenda was made by Gary Paape and seconded by Aaron Augustian. Committee vote was unanimous in favor of the motion.

**4). Approval/Repair of Meeting Minutes:** Motion to approve the November 12<sup>th</sup> meeting minutes was made by Aaron Augustian and seconded by Gary Paape. Committee vote was unanimous in favor of the motion.

**5). Public Comments regarding the regularly scheduled Land and Water Conservation Meeting:**

There were 14 members of the public in attendance.

There were 6 public comments that addressed: (1) lack of biology in the public waters; (2) increased road damage; (3) farms need additional plans than just A & B and shouldn't be spreading when the risk runoff advisory is red; (4) landowner was present who recently had Ecoli in their well and is concerned about cow numbers in the County as well as farmers not fully incorporating their manure; (5) comments regarding not lessening any restrictions and it's the duty of the LCC to protect the land and families; (6) comments regarding how shocked landowners are with the amount of manure spreading occurring with the saturated soils; and (7) the situation is getting worse.

**6. Department Reports:**

- a. *Animal Waste Storage Permits:* None
- b. *Farmland Preservation/Standards and Prohibitions Walkovers:* Travis (November): This information will be provided in January.
- c. *Conservation Plans for Approval:* Michael Baierl
- d. *Notice of Non-Compliance Updates:* None from DNR
- e. *Public Health & Groundwater Protection Ordinance:* Prohibition starts on January 1<sup>st</sup> – no stacking or spreading of any wastes on 0-20 feet to bedrock.
- f. *Chapter 39 update:* Working on write ups from the spills/discharges that occurred in November/December and then will give an update on those we cite and send to Corp Counsel. The LWCD is taking surface water samples after spills if the DNR does not sample or they cannot get on site.

Conversation started by Davina Bonness addressing the LCC with the options that farms have right now. At no time was anyone asking to lessen the restrictions of any local ordinance. The conversation included the number of active spills in the County, the severity of those spills and weather conditions/field conditions and how millions of gallons of manure still needs to be land spread this year. Conversation then went to drafting a resolution to the Governor asking for a "state of emergency" and assistant in this environmental crisis. The County discussed how CAFOs are required to collect millions of additional gallons of clean water coming from their leachate pads; CAFOs can't spread on land that is not in their permits or nutrient management plans – even if they have proper spreading maps and restrictions and how CAFOs cannot put manure into a non-CAFO pit even if that pit was properly designed to NRCS standards. These are some of the

asks we would like emergency assistant with. LWCD then explained that the current spills that are discharging to waters of the state will all be receiving citations under Chapter 39.

g. *Well Testing Update: N/A*

h. *Zoning / Sanitation Report: November*

- a. Soil Inspections: 4
- b. Septic Inspections: 4
- c. Existing Inspection Reports: 4
- d. Permit Applications: 1
- e. House Number: 0

i. *Action Item: Targeted Runoff Management Grant Authorization Resolution*

Motion to approve the Targeted Runoff Management Grant Authorization Resolution was made by Gary Paape and seconded by Clark Riemer. Committee vote was unanimous in favor of the motion.

j. *Invasive Species update: Kate provided an update including in 2019 404 acres of Phragmites was treated and another 300+ acres are scheduled to be treated in 2020. Furthermore, the LWCD received a WI Coastal Management Grant to develop a management plan for invasive in the County and are partnering with BayLake Regional Planning. And finally Kate is partnering with several counties, Lakeshore Natural Resource Partnership and Glacierland RC&D for a Clean water – Clean boats initiative.*

## 7). Cooperating Agency Reports:

a). **USDA Natural Resources Conservation Service (NRCS):** Joe Johnson explained how they are working on CRP (Conservation Reserve Program) which has a sign up until February 2020.

b). **UWEX:** Aerica discussed that last Friday UWEX sent out a land rental survey to the County and in January she will give an update to the meetings scheduled.

c). **USDA APHIS (Animal and Plant Health Inspection Service) Wildlife Services:** Moving 90% date to January because we are not at 90% harvest yet.

d). **Comments from State Legislators:** N/A

e). **Other Agency/Organization Reports:** N/A

## 8). Other Matters to Discuss (if needed)

a) **Department Natural Resources (DNR) Workgroup Update:** Alternative Tech workgroup met on December 5<sup>th</sup> and discussed finalizing the composting fact sheet; drafting the soil health & cover crop fact sheets which will actually end up being a series of 6 or more different fact sheets because the topics are so broad that they need to be broken down. We also reviewed a list of future fact sheets and held a discussion on research needs to support implementation of NR151. Next meeting will be held around mid-end February.

b) **Northeast Total Maximum Daily Load (TMDL) update:**

The DNR installed **turbidity sensors** at two locations on the Ahnapee in August 2019 to test a new method for tracking progress towards the NE Lakeshore TMDL reduction goals (goals are currently under development). These sensors only measure turbidity. A turbidity value alone does not provide useful information about water quality. However, turbidity can relate to concentrations of suspended solids and phosphorus in the water. Relating turbidity to suspended solids/phosphorus concentrations is what we are currently testing.

Sensors will be in place until June 30<sup>th</sup> 2020; however, they will be removed during the winter ~December 2019 – March 2020. Sensors do not work properly in colder temperatures. Monitoring could be extended beyond June 30<sup>th</sup> 2020, this will

depend on 1) available resources and 2) what the data is showing (ex. data shows a relationship between turbidity & phosphorus/TSS, No relationship, Or unclear at the moment).

DNR is currently taking bi-weekly samples for total phosphorus and total suspended solids. We are not measuring nitrogen because the NE Lakeshore TMDL will not provide nitrogen allocations.

c) Brown County Digester Update: N/A

d) Tile Lines: Aaron Augustian touched base with Mike LaCrosse (local tile installer) and he agreed to attend either the January or March LCC meeting for a discussion.

e) Lake Michigan Shoreline Erosion: LWCD is providing some rip-rap placement permits as well as DNR.

**9). Scheduling of Future Committee Meetings:** Monday - January 6, 2020 @ 8:15am; Tuesday - February 11<sup>th</sup>, 2020 @ 8:15am & Thursday – March 12<sup>th</sup>, 2020 @ 8:15am.

**10). Chairman's Wrap-Up Comments:** Chairman Wagner thanked everyone for their comments and explained how we are all frustrated and battling the weather, but collectively we can work out solutions.

**11). Adjournment:** A motion to adjourn the meeting at 9:49 am was made by Aaron Augustian and seconded by Clark Riemer. Motion carried unanimously.

### **OLD AND OUTSTANDING SEPTICS (PRIOR TO 2017):**

9 septic systems that are still non-compliant.

- 4 - Permits are issued. 1 installer just received the check from the homeowner; therefore, will be installed in spring. Other 3 haven't been installed yet (all are mounds and can't be installed now due to the weather) so I'm keeping them on our non-compliant list until they are completed.
- 1 - The judge just issued a conviction order until system is replaced. Homeowner is in contact with an installer and we are waiting to hear if the installer will take the job.
- 1 - Public health issued a placard with no occupancy until system is replaced. Owner was living in a camper or RV in driveway, not sure if he still is. I'm keeping him on list until system is either abandoned or replaced.
- 3 - Jeff will be taking action (court) in early Spring on these 3.

### **2017 SEPTIC SYSTEM ENFORCEMENTS:**

Originally 52 enforcement letters were mailed out. 5 are still non-compliant. Breakdown is as follows:

1 - Permits have been issued, waiting to install.

1 - The state plan approvals have now come back so sanitary permits will hopefully be issued soon.

3 - Soil tests are now completed.

\*\*Jeff is handling these.

### **2018 SEPTIC SYSTEM ENFORCEMENTS:**

Originally 110 enforcement letters were mailed March 2018 with a 1 year deadline to prove soil compliance. Breakdown is as follows:

8 - Permit has been issued, waiting to install.

80 - Systems have passed inspection/or new systems have been installed.

3 - Systems are no longer in use.

16 - Soil tests are completed plus 2 that have soil borings scheduled and we confirmed with the soil testers.

1 - Failed inspection, working with soil tester.

\*\*Jeff mailed reminder letters in March to ones that haven't done anything and to ones that have completed soil tests.

### **2019 SEPTIC SYSTEM ENFORCEMENTS:**

146 Enforcement letters were mailed March 2019 with a 1 year deadline to prove soil compliance.

5 - Permit has been issued, waiting to install.

62 - Systems have passed inspection/or new systems have been installed.

21 - Soil tests are completed.

1 - System no longer in use.