



Winnebago County

The Wave of the Future

**LAND CONSERVATION COMMITTEE (LCC) MEETING MINUTES
THURSDAY, DECEMBER 5, 2024**

A. Call to Order

Convene:

The meeting was called to order by Chairman Farrey at 9:03am

Present:

- **LCC Members:** Bruce Bohn, Chuck Farrey, Kristl Laux, Timothy Macho, Doug Nelson, Dan Stokes & Doug Zellmer
- **LWCD Staff:** Chad Casper, Jody Bezio
- **Other(s) present:** Levi Schultz, NRCS, Ethan Hollenberger, Assistant to the County Executive
- **Absent:** None

B. Confirm meeting/agenda has been properly public noticed in accordance with County policy.

Chairman Farrey confirmed with Director Casper that the meeting had been properly public noticed.

C. Approval of Minutes

1. November 7, 2024, Meeting Minutes

A Zellmer / Stokes motion to approve the minutes passed 6-0. Supervisor Nelson abstained.

D. Public Comments on Agenda Items

None.

E. Agency Reports

1. Natural Resource Conservation Service (NRCS)

Levi Schultz, NRCS reported that they received 40 applications for the EQIP program and are working on processing contracts for these now.

2. Other Partner Agency Reports

None.

F. Director's Report

1. 2025 Producer-Led Watershed Protection Grant

Director Casper reported that the Muddy Bottom Farmers were awarded 80% (approximately \$10,000) of the 2025 DATCP Producer-led Watershed Protection Grant that the LWCD applied for. The Muddy Bottom Farmers will also be carrying over a small portion of their 2024

grant to 2025. These funds will continue to advance the efforts of the Muddy Bottom Farmers Producer-led group in Winnebago County.

2. Wisconsin Land and Water Conservation Association Staff Cost Reimbursement for Technical Services

Director Casper informed the committee that the Contribution Agreement completed through the WI Land & Water Conservation Association to receive reimbursements from NRCS for technical services provided by the LWCD is advancing. The reimbursements will cover 75% of LWCD labor for services such as project design and oversight of construction on EQIP projects. Director Casper estimates about \$12,000 could be brought in as revenue for the Department over the next couple of years (based on staff capacity).

3. North American Wetlands Conservation Act Grant with Ducks Unlimited

Director Casper reported that he is working on the agreement for the North American Wetlands Conservation Act Grant and sub-award with Ducks Unlimited. This grant is for \$165,000 total; \$150,000 will be used for the Van Dyke breakwall and \$15,000 will be used to incorporate tree drops for habitat on the Samers Bay breakwall by Terrells Island. Director Casper informed the committee that incorporating woody debris for habitat is a condition of the grants.

G. Committee Chair's Report

Chairman Farrey reminded the committee to keep in mind that the County Board sets policy however, Chapter 92 gives the authority of setting policy for this department (LWCD) to the LCC (committee) with approval of the county board.

Chairman Farrey informed the LCC that he is the chairman of the WCA Agriculture, Environment and Land Use Steering Committee and their last meeting was held on November 22 at the Food & Farm Exploration Center in Plover. Farrey reported that the issue of wake boat regulations and local authority vs state-wide authority continues to be a topic of concern discussed during the Legislative update at the meeting. Farrey recommends that Winnebago County be actively involved if a bill is introduced in the Legislature this year. Nelson informed the committee of the current status of other efforts to address the environmental impact of wake boats across the state, including additional information about local resolutions and authority over Lake Winnebago.

H. Business Items

Action may be taken on any business items.

1. Review and Approve the 2025 Land Conservation Committee Meeting Schedule

Supervisor Macho requested that the LCC move their meeting to a different day of the month due to a conflict with his work schedule on Thursdays. After a lengthy discussion, Chairman Farrey confirmed with Hollenberger that there were no conflicts with other County Board/Committee meetings or conflicts with the County Clerk's Office on any of the new proposed dates for the LCC meetings. A Zellmer/Nelson motion to move the LCC meetings to the first Monday of the month at 9:00am passed 7-0.

Citizen Member Bohn informed the committee that he will be attending remotely from January-April, and confirmed with Chairman Farrey that Bohn will not be able to vote on action items while attending remotely.

2. Authorize the Land & Water Conservation Department Director to Execute Winnebago County Water Quality Improvement Program (WCWQIP) & Spirit Fund Program (SFP) cost-share agreements exceeding \$5,000 for the remainder of 2024

Director Casper explained that this was necessary to allow for the full execution of CSAs for the remainder of 2024. Casper stated that completed CSAs are required to secure the 2024 funding for the projects and make them eligible to be carried over into the 2025 LWCD budget. A Nelson/Zellmer motion to approve the authorization passed 7-0.

3. Authorize Winnebago County to enter into an Intergovernmental Government Agreement (or in the alternative, a Memorandum of Agreement) and Conservation Easement with the Wisconsin Department of Natural Resources for the purpose of managing an off-shore breakwall project on Lake Winneconne

Director Casper presented a draft of the MOA to the committee. Director Casper informed the committee that the MOA is required by the WI Department of Natural Resources Water Regulations under NR 328 which is now being enforced by the WI DNR, even though the LWCD has not been required to complete an MOA on breakwalls that were previously permitted by the DNR. Director Casper explained that the MOA will allow the Winnebago County LWCD to access the breakwall for maintenance and monitoring only; the MOA will not tie the county to any fiscal responsibility for the breakwall. The draft presented to the LCC has been developed by Winnebago County (Director Casper, County Executive Assistant Hollenberger, Corporation Counsel and outside counsel) to present to the WI DNR. Chariman Farrey asked for clarification on the timeline/procedure for the County to approve the MOA. County Executive Assistant Hollenberger explained that the County needs the County Board's authorization to begin the process of negotiating and executing the MOA with the DNR, which includes ongoing clarification to the details and verbiage of the MOA. Director Casper informed the LCC that he will keep them informed with current drafts as the process continues. Casper/Hollenberger explained that both a permit and the MOA will be needed before installation of the breakwall can begin. Director Casper explained that weather permitting, the breakwalls are usually installed in late January/early February when the ice is thick enough for equipment and that the WI DNR is working with us to expedite both the MOA and permit in a timely manner.

After a lengthy discussion, a Nelson/Bohn motion to authorize Winnebago County to enter into an Intergovernmental Government Agreement (or in the alternative, a Memorandum of Agreement) and Conservation Easement with the Wisconsin Department of Natural Resources for the purpose of managing an off-shore breakwall project on Lake Winneconne passed 7-0.

The resolution to authorize Winnebago County to enter into an Intergovernmental Government Agreement (or in the alternative, a Memorandum of Agreement) and Conservation Easement with the Wisconsin Department of Natural Resources for the purpose of managing an off-shore breakwall project on Lake Winneconne will be forwarded by the LCC to the County Board of Supervisors for their December meeting.

4. Annual Report and Discussion on the Land & Water Conservation Department Spirit Fund Program

Director Casper reported on the Spirit Fund Program and the use of the funds to date. Casper reviewed all practices enrolled or installed and the remaining funds available in each of the three categories (Best Management Practices BMPs, Soil Health and Conservation Buffers). To date, \$341,513.86 of the \$3,030,300 funds have been allocated, leaving \$2,688,486.14 available in the fund to be spent over the next 9-14 years. Director Casper informed the committee that this amount is on target for the original 10-15 year goal for the Spirit Fund Program. Casper informed the committee that he has also been able to bring a half million dollars in new, outside funds to the LWCD by utilizing the Spirit Fund Program as matching funds. Leveraging the Spirit Fund in this way brings in additional funding that was not available to the LWCD previously. LCC member Bohn asked for clarification on current staffing levels, Director Casper reported that the LWCD created a new Watershed Specialist position several years ago to expand the LWCD's Soil Health initiatives, so the department currently has 8 permanent, full-time staff and 1 temporary, full-time staff person working for the 3-year Climate Smart Grant. Casper explained that no additional staff have been hired as part of the Spirit Fund Program, the increase in funding and additional conservation practices being installed are being handled by the existing staff which is one reason the 10-15 year window to spend the Spirit Funds is important.

5. Discussion on Amendments to the Land & Water Conservation Department Spirit Fund Program Policy Plan

Chairman Farrey explained that the Spirit Fund Program Policy Plan will be reviewed by the committee annually and the amendments currently being proposed came from the LWCD staff. Farrey informed the LCC members that they are also able to propose amendments. Director Casper reviewed the LWCD's proposed amendments to the Spirit Fund Program Policy Plan. The committee had a lengthy discussion on soil health practices; Levi Schultz, NRCS offered to share educational resources on how specific soil health practices work and their impact on soil health and water quality. Chairman Farrey informed the committee that the proposed amendments would be put on the January LCC agenda as an action item for approval.

6. Review Land & Water Conservation Department Project Lists

The LCC reviewed and acknowledged the new projects on the lists.

I. Adjourn

Following adjournment, a quorum of the committee may be present in the Coughlin Building for the purposes of judging the 2025 Wisconsin Land and Water Conservation Association Poster Contest. A Nelson / Stokes motion made to adjourn the meeting at 10:42am passed 7-0.