

**COUNTY OF EAU CLAIRE
EAU CLAIRE, WISCONSIN
"NOTICE OF PUBLIC MEETING"**

In Accordance with the provisions of Chapter 19, subchapter IV, Wisconsin Statutes, **NOTICE IS HEREBY GIVEN** of the following public meeting:

THE LAND CONSERVATION COMMISSION

WILL MEET ON MONDAY, JULY 29, 2019 TIME: 5:00 P.M.

PLACE: AGRICULTURE & RESOURCE CENTER, Room AG120
227 – 1ST STREET WEST, ALTOONA, WI 54720

OPEN SESSION

AGENDA

1. Call to Order
2. Confirmation of Compliance with Open Meetings Law
3. Public Input Session (15-minute maximum) – Discussion
Please Note: Limit of 3 minutes per speaker
4. Approve Minutes from May 14, 2019 meeting – Discussion/Action **Page 2-3**
5. Approve Minutes from May 14, 2019 Joint Meeting with Planning and Development –
Discussion/Action **Page 4-5**
6. Review Vouchers and Ledger Update – Discussion **Page 6-7**
7. Cost-Share Applications – Discussion/Action **Page 9-21**
8. Adoption of Standards – Ag Performance Standards and Manure Storage ordinance –
Discussion/Action **Page 22**
9. Update LCC Cost Share Policies – Discussion/Action **Page 23-26**
10. Nutrient Management Memorandum of Understanding with Adjoining Counties – Discussion/Action
Page 27-28
11. Staff and Agency Updates
 - a. Land Stewardship Subcommittee Update
 - b. Demo Farm
 - c. Multi-Discharger Variance (MDV) program
 - d. Water Quality Trading with the City of Augusta **Page 29-34**
12. Future agenda items
13. Set dates for next meetings – Discussion/Action
14. Adjourn

PLEASE NOTE: *Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (Fax:) 839-1669 or 839-4735, tty: use Relay (711), or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.*

RECEIVED _____

POSTED _____

Eau Claire County
LAND CONSERVATION COMMISSION MINUTES

Tuesday, May 14, 2019 • 6:00 p.m.
Eau Claire County Courthouse • 721 Oxford Avenue • Room G0009
Eau Claire, Wisconsin

Members Present: Robin Leary, Gary Gibson, Ray Henning, Heather DeLuka, Glory Adams, Ricky Strauch, Tami Schraufnagel (arrived at 6:10 p.m.)

Members Absent: Dean Solie

Staff Present: Greg Leonard, Amanda Peters, and Liz Fagen (Land Conservation), Rod Eslinger (Planning & Development)

Others Present: (none)

1. Call to Order

Chair Leary called the meeting to order at 6:00 pm.

2. Confirmation of Compliance with Open Meetings Law

Leary confirmed compliance with the open meetings law.

3. Public Input Session (15 minutes maximum) – Discussion
(none)

4. Approve Minutes from April 15, 2019 meeting – Discussion/Action

ACTION: Motion by Gibson to approve the minutes as presented. Motion carried, 6-0-0.

5. Review Vouchers and Ledger Update – Discussion

The April expenditures and revenues were reviewed.

6. Cost-Share Applications – Discussion/Action

The following Nutrient Management Best Management Practice Cost-Share applications were presented for approval:

David Messerschmidt – Nutrient Management - \$7,670.00 (DATCP SEG funds)

Zachary Vollbrecht – Nutrient Management - \$7,020.00 (DATCP SEG funds)

Jason Wathke – Nutrient Management - \$960.00 (DATCP SEG funds)

ACTION: Motion by Gibson to approve the Nutrient Management Best Management Cost-Share applications. Motion carried, 6-0-0.

The following Best Management Practice Cost-Share application was presented for approval.

Doug & Lynette Knuth – Prescribed Grazing & Barnyard Runoff Control - \$29,400.00 (DATCP Bond funds), \$2,100.00 (County funds), \$10,500.00 (landowner funds).

ACTION: Motion by Adams to approve the Best Management Cost-Share application. Motion carried, 6-0-0.

The following Best Management Practice Cost-Share application was presented for approval.

Russell Krenz – Waste Facility Closure - \$8,400.00 (DNR TRM funds), \$3,900.00 (landowner funds).

Leonard explained this is the first project submitted for approval utilizing the new DNR Targeted Runoff Management (TRM) grant funds. The application as presented contains a typographical error; the amount of landowner funds should be \$3,600.00. The application was corrected.

ACTION: Motion by DeLuka to approve the Best Management Cost-Share application as corrected. Motion carried, 6-0-0.

(Schraufnagel arrived)

7. Land Stewardship subcommittee appointments – Discussion/Action
The Land Stewardship subcommittee has recommended Dave Carlson and Rick Koziel to be reappointed to serve another 3-year term to the subcommittee. No other person has applied for consideration.
ACTION: Motion by Henning to appoint Dave Carlson and Rick Koziel to succeed themselves for another 3-year term to the Land Stewardship subcommittee. Motion carried, 7-0-0.
8. Lake Rehabilitation project applications – Discussion
Both Lake Eau Claire and Lake Altoona have submitted project proposals for Project Year 2020 Lake Rehabilitation funds. Eslinger noted these proposals will be before the Planning and Development Committee and he will ask that committee to give direction on the proposals.
9. West Central Area WI Land+Water Conservation Association summer tour – Discussion/Action
The tour stops will include Dells Mill near Augusta, Lake Eau Claire, Beaver Creek Reserve, and potentially one other site to be finalized. Cost will be based on recouping expenses.
10. Future agenda items
The adoption of standards in relation to the Agricultural Performance Standards and Manure Storage ordinance will be on the next agenda.
11. Set dates for next meetings
 - a. The joint LCC and Planning & Development Committee meeting will be the public hearing for the Agricultural Performance Standards and Manure Storage ordinance at 7:00 p.m. following this meeting.
 - b. The annual LCC tour will be in conjunction with the West Central Area Land+Water Conservation Association summer tour scheduled for June 12, 2019. If LCC action is needed, the meeting will occur prior to the tour.
12. Adjourn
Leary adjourned the meeting at 6:40 pm.

Respectfully submitted,



Greg Leonard
Clerk, Land Conservation Commission

Joint Meeting

MINUTES

Committee on Planning & Development and Land Conservation Commission

Tuesday, May 14, 2019 • 7:00 p.m.

Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277

Eau Claire, Wisconsin

Members Present: Gary Gibson, Robin Leary, James Dunning, Joe Knight, Ray Henning, Tami Schraufnagel, Heather DeLuka, Ricky Strauch, Glory Adams,

Members Absent: Nancy Coffey, Dean Solie

Staff Present: Rod Eslinger, Greg Leonard, Amanda Peters, Matt Michels

1. Call to Order

Chairpersons Gibson and Leary called the joint meeting of the Committee on Planning and Development and the Land Conservation Commission to order at 7:00 p.m.

2. Confirmation of Compliance with Open Meetings Law

Chairpersons Gibson and Leary confirmed compliance with the Open Meeting Law.

3. Public Input Session

Libby Stupak – Eau Claire County resident, provided the committee and commission written comments for the public hearing. She encouraged the county to increase the storage capacity of the manure storage facilities.

Bev Stelljes – Farmer and citizen of the town of Washington stated that the county is on the right track with the ordinance, but more work is needed.

Tammy Smith Schroeder – Ag. Ordinance Review Special Committee member spoke in favor of the ordinance and stated that the ordinance is a very workable end product.

Eleanor Wolf – Ag. Ordinance Review Special Committee member spoke in favor of the ordinance and noted the ordinance is a work in progress.

Derrick Nelson – Ag. Ordinance Review Special Committee member and farmer spoke in favor of the ordinance. He said credit should go to the farmers.

4. Public Hearings

- a. **Proposed Ordinance: File No. 19-20/012** Regarding the following amendments to the Eau Claire County Code: to repeal Chapter 17.04 Animal Waste Storage, and to create Chapter 17.04 Agricultural Performance Standards and Manure Storage. / Discussion - Action

Greg Leonard, Land Conservation Manager for Eau Claire County, led a power point discussion and provided background information on the moratorium and reviewed the Ag. Ordinance Review Special Committee's recommendations. He focused on the incorporation of the NR 151 Ag. Performance Standard and Prohibitions in the ordinance. Leonard clarified the importance of effective date of NR 151 (October 2002).

Amanda Peters, Conservation Technician - Agronomist for Eau Claire County, led a discussion around manure storage facilities. She noted that the ordinance applies to the unincorporated areas, but incorporated municipalities could sign an intergovernmental agreement with the County to have the standards enforced within their boundaries. Peters noted that the NRCS Technical Standards 360 and 364 (waste transfer and waste closure) also apply in the ordinance.

She reviewed how the ordinance would apply to idle facilities. Peters explained how a certificate of use would be implemented as part of the new code language.

Leonard reviewed the proposed ordinance fee changes with the group. He noted that the ordinance contains a two-tier fee structure based on size of the facilities.

Leonard stated that the Ag. Ordinance Review Special Committee didn't recommend adoption of Livestock Siting Law because it would only apply to those animal facilities with greater than 500 animal units.

Peters reviewed the manure storage design standards with the group.

Leonard concluded staff's presentation by stating that the ordinance 19-20-012 is a repeal and recreate of title 17.04. He stated that many provisions of the existing ordinance's provisions were incorporated into the new code.

No further discussion was held.

Committee on Planning and Development Action: Motion by Jim Dunning to approve file 19-20/012 as submitted. The motion carried 4-0-0

Land Conservation Commission Action: Motion by Tami Schraufnagel to approve file 19-20/012 as submitted. The motion carried 7-0-0.

5. Adjourn

Action: Meeting adjourned by **unanimous consent** at 8:05 p.m.

Respectfully submitted,

Rodney Eslinger
Clerk, Committee on Planning & Development

Monthly Deposits May and June

Date	Account Number	Description	Amount Deposited
5/1/2019	46820-000-000	EC-07-19 EVERYDAY SURVEYING	\$280.00
5/1/2019	46820-000-000	EC-08-19 HOLLAND	\$280.00
5/10/2019	46820-000-000	SW-01-19 GRIPS CUSTOM STORAGE PHASE II	\$2,908.00
5/21/2019	46820-000-000	EC-13-19 Borntreger_Livestock Barn	\$280.00
5/21/2019	46810-000-701	Tree Sale	\$1,550.50
5/29/2019	46820-000-000	EC-14-19 Joni Borntreger	\$280.00
5/29/2019	46820-000-000	EC-15-19 JCBorntreger`	\$280.00
5/29/2019	449902-000-000	AWO-2019-01	\$220.00
5/29/2019	46810-000-701	Tree Sales	\$230.50
6/3/2019	46820-000-000	EC-18-19 Amos Borntreger	\$280.00
6/3/2019	46810-000-701	Tree Sale	\$50.00
6/17/2019	46810-000-701	Native Refund	\$214.58
6/21/2019	46820-000-000	EC-20-19 Black Creek Campground	\$603.56
Total			\$7,457.14

Land Conservation Division 2019 Bills

The following bills were sent to the Finance Department for payment.

May

Vendor	Account #	Amount	Description
Voyager	56922-330-000	\$ 142.11	April Voyager Fuel Expense
Engles Nursery	56922-829-000	\$ 46.02	Tree Purchase
Highway Dept	56922-330-000	\$ 90.71	2013/2015 Fuel
PC-Festival	56922-829-000	\$ 17.96	Tree Supplies
PC-Menards	56922-829-000	36.27	Tree Supplies
PC-Klingers	56922-829-000	\$ 73.83	Native Plants
PC-Kwik Trip	56922-330-000	\$ 64.07	2013 Truck Fuel
PC-Amazon	56922-829-000	\$ 8.99	Tree Supplies
PC-Amazon	56922-829-000	\$ 12.03	Tree Supplies
PC-Amazon	56922-829-000	\$ 55.74	Tree Supplies
PC-Festival	56922-829-000	\$ 16.39	Tree Supplies
PC-Farm n Fleet	56922-477-000	\$ 369.99	Fencer WLD
PC-Amazon	56922-477-000	\$ 781.76	Fencer WLD
Ristau, John	56924-200-707	\$ 1,570.00	2019 SEG Reimbursement
Fagen, Liz	56922-340-000	\$ 30.30	WLW Conference Reimbursement
Menards	23172-000-000	\$ 83,188.00	FA Release SW-01-16
Rain to Rivers	56925-200-000	\$ 75,133.80	Transferring R2R Funds to R2R
Total		\$ 161,637.97	

June

Vendor	Account #	Amount	Description
DIGI Copy	56922-390-000	\$ 103.25	Annual Report Printing
Draeger, Don	56922-829-000	\$ 25.00	25 Sugar Maple Refund
PC-Amazon	56922-903-000	\$ 17.99	Summer Tour
PC-Express Mart	56922-903-000	\$ 9.63	Summer Tour
PC-Festival Foods	56922-903-000	\$ 51.84	Summer Tour
PC-Fleet Farm	56922-390-000	\$ 33.48	Crep 2019
PC-Fleet Farm	56922-390-000	\$ 2.40	Crep 2019
PC-USPS	56922-390-000	\$ 1.15	Xcel Grant Postage
Rons Auto	56922-241-000	\$ 68.00	2010 Colorado Blower Repair
Stipetich, Scott	56922-829-000	\$ 100.00	100 Hazelnut Refund
Voyager	56922-330-000	\$ 361.01	May Voyager Fuel Expense
WCLWCA	56922-324-000	\$ 75.00	2019 Dues
Werlein, Matt	56924-483-704	\$ 296.00	Werlein Well Abandonment
West Central Area	56922-340-000	\$ 100.00	Summer Tour Registration
Total		\$ 1,244.75	

2018-2019 TREE SALES REPORT				
1)	183	Orders were filled & 27,250 Seedlings were sold.		
SPECIES TYPE	VOLUME	AGE	NURSERY	
Conifers:				
White Pine	3,600	6-12"	Lauras Lane	
Red Pine	1,950	4-7"	Paint Creek	
Scotch Pine	450	6-12"	Paint Creek	
Austrian Pine	500	6-12"	Lauras Lane	
White Spruce	1,150	9-15"	Paint Creek	
Norway Spruce	2,850	9-15"	Paint Creek	
Colorado Blue Spruce	1,250	9-15"	Paint Creek	
Balsam Fir	1,450	5-10"	Alpha	
Fraser Fir	1,850	6-12"	Paint Creek	
Tamarack	1,300	10-20"	Paint Creek	
Total Conifers Sold:	16,350			
Hardwoods:				
Red Oak	400	12-18"	Engles	
Bur Oak	375	12-18"	Alpha	
White Oak	450	24-36"	Paint Creek	
Hemlock	300	6-12"	Lauras Lane	
Silver Maple	225	14-36"	Paint Creek	
Sugar Maple	600	12-18"	Engles	
Red Maple	275	12-18"	Paint Creek	
River Birch	375	12-18"	Engles	
Black Walnut	550	8-24"	Paint Creek	
Balsam Poplar	350	12-18"	Alpha	
Total Hardwoods Sold:	3,900			
Shrubs:				
Highbush Cranberry	500	12-18"	Engles	
Juneberry Serviceberry	650	10-20"	Paint Creek	
Ninebark	225	12-18"	Engles	
Red Osier Dogwood	500	12-24"	Lauras Lane	
American Plum	350	12-18"	Paint Creek	
Hazelnut	575	4-12"	Paint Creek	
Black Choke Berry	200	12-18"	Engles	
Nanking Cherry	225	12-18"	Alpha	
Total Shrubs Sold:	3,225			
Bundles:				
Deer Food Bundle	10		Alpha	
Evergreen Bundle	15		Alpha	
Wildlife Pack	10		Alpha	
Turkey Bundle	4		Alpha	
Wetland Bundle	5		Alpha	
Total Shrubs Sold:	44			
ROOT GEL				
TOTAL SEEDLINGS SOLD:	23,519			

2) REVENUE (2018 & 2019)			\$15,971.06
All Sources:			
	2018	2019	
	\$6,014.46	\$9,956.60	

2018-2019 NATIVE SALES REPORT			
1)		Orders were filled & ***** Plants were sold.	
FLAT TYPE	VOLUME	NURSERY	
Monarch Flat	Pre Sold	15	Midwest Ground Covers
	Extras Sold	4	Midwest Ground Covers
Total Monarchs Sold:		19	
Butterfly Flat	Pre Sold	9	Midwest Ground Covers
	Extras Sold	10	Midwest Ground Covers
Total Hardwoods Sold:		19	
Pollinator Sun	Pre Sold	9	Midwest Ground Covers
	Extras Sold	10	
Total Shrubs Sold:		19	
Pollinator Shade	Pre Sold	9	Midwest Ground Covers
	Extras Sold	10	
Total Shrubs Sold:		19	
TOTAL SEEDLINGS SOLD:		#REF!	

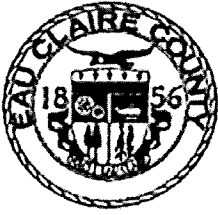
2) REVENUE (2018 & 2019)			\$2,371.73
All Sources:			
	2018	2019	
	\$1,185.87	\$1,185.86	

3) TOTAL EXPENSES (2018 & 2019)			14,581.20
---------------------------------------	--	--	------------------

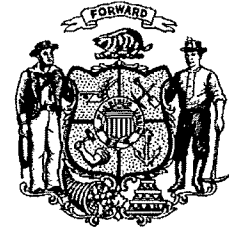
1) General Expense break down		2018	2019
Laura's Lane Nursery	\$0.00		\$1,825.50
Engels Nursery	\$0.00		\$1,666.16
Alpha Nurseries	\$0.00		\$2,199.09
Paint Creek Nursery	\$0.00		\$6,440.00
Midwest Ground Covers	\$0.00		\$2,371.73
Expo Center	\$0.00		\$0.00
Peat Moss (Menards)	\$0.00		\$36.27
Refund Checks Issued	\$0.00		\$0.00
Garbage Bags, etc.	\$0.00		\$42.45
Klingers-Natives	\$0.00		\$73.83
Plastic Bags etc.-Natives	\$0.00		\$43.34
TOTAL:	\$0.00		\$14,581.20

4) NET PROFIT			\$1,389.86
---------------------	--	--	-------------------

1) Each year's actual breakdown is as follows:		2018	2019	FINAL
Total Revenue:	\$6,014.46		\$9,956.60	\$15,971.06
Less Total Expenses:	\$0.00		\$14,581.20	\$14,581.20
NET PROFIT:	\$6,014.46		(\$4,624.60)	\$1,389.86



Eau Claire County Planning and Development
LAND CONSERVATION DIVISION
 Eau Claire County Courthouse - Room 3344
 721 Oxford Avenue
 Eau Claire, Wisconsin 54703-5212
 Phone: (715) 839-6226 • Fax: (715) 831-5802



COST SHARE AGREEMENT

PRACTICE: NUTRIENT MANAGEMENT PLANNING

NAME: Mark Karow TOTAL COST: \$ 14,920
 TELEPHONE: 715-828-1494 ACRES: 373 FUNDING SOURCE: \$ _____ NMFE
 \$ 14,920 SEG
 FARM LOCATION (TOWN/RANGE/SECTION & TOWNSHIP): \$ _____ COUNTY
T26N R06W S34 Town of Bridge Creek

AGREEMENT:

- 1) Effective date: upon approval by the Land Conservation Commission.
- 2) Eau Claire County agrees to pay a flat rate of \$12.00 / \$26.00 / \$40.00 (circle one) per cropland acre for a plan that:
 - a. Meets NRCS Standard 590 and Technical Note WI-1.
 - b. Is signed by a Certified Nutrient Management Planner.
- 3) The applicant agrees to:
 - a. Submit a copy of the plan, which includes all materials provided and requested of the planner.
 - b. Apply and use the nutrient management plan once it is approved by a Certified Nutrient Management Planner
 - c. ~~Submit bills~~ for cost share; and pay the vendor(s), in full, upon receipt of cost share.
 - d. Consent to the County providing copies of your conservation plan to the planner you have selected.
 - e. If a conservation plan does not meet the tolerable soil loss, does not exist, or contains Alternate Cropping Systems, agrees to develop a conservation plan that meets tolerable soil loss

**EAU CLAIRE COUNTY LAND CONSERVATION DIVISION
NUTRIENT MANAGEMENT PLAN APPLICATION**

I request cost sharing for 373 acres, and agree to the conditions listed on page 1 of this agreement:

Signature [Handwritten Signature] Date May 24 2019
 Address E 21535 Karow Rd Augusta WI
 Mailing Address City State Zip

THE NUTRIENT MANAGEMENT PLANNER FOR MY FARM IS:

Name Mark Karow Address _____
 Phone _____

<p><u>LAND CONSERVATION COMMISSION ACTION:</u></p>	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
_____ LCC Member	_____ Date

FOR OFFICE USE ONLY

Plan reviewed meets NRCS standards

 Signature Date

Total Acres	
Cost Share Rate (circle one)	\$12.00 / \$26.00 / \$40.00 per acre
Total Cost Share Amount	\$
State Cost Share	\$
County Cost Share	\$
Other	\$

The applicant has met the requirements and a copy of their plan was provided to the County.

 LCD Signature Date



Eau Claire County Planning and Development
LAND CONSERVATION DIVISION
 Eau Claire County Courthouse - Room 3344
 721 Oxford Avenue
 Eau Claire, Wisconsin 54703-5212
 Phone: (715) 839-6226 • Fax: (715) 831-5802



COST SHARE AGREEMENT

PRACTICE: NUTRIENT MANAGEMENT PLANNING

NAME: Wyatt Wathke TOTAL COST: \$ 1,400
 TELEPHONE: 715-577-0248 ACRES: 35 FUNDING SOURCE: \$ _____ NMFE
 \$ 1,400 SEG
 FARM LOCATION (TOWN/RANGE/SECTION & TOWNSHIP): \$ _____ COUNTY
S27 T25N R07W Town of Otter Creek

AGREEMENT:

- 1) Effective date: upon approval by the Land Conservation Commission.
- 2) Eau Claire County agrees to pay a flat rate of \$12.00 / \$26.00 / \$40.00 (circle one) per cropland acre for a plan that:
 - a. Meets NRCS Standard 590 and Technical Note WI-1.
 - b. Is signed by a Certified Nutrient Management Planner.
- 3) The applicant agrees to:
 - a. Submit a copy of the plan, which includes all materials provided and requested of the planner.
 - b. Apply and use the nutrient management plan once it is approved by a Certified Nutrient Management Planner
 - c. Submit bills for cost share; and pay the vendor(s), in full, upon receipt of cost share.
 - d. Consent to the County providing copies of your conservation plan to the planner you have selected.
 - e. If a conservation plan does not meet the tolerable soil loss, does not exist, or contains Alternate Cropping Systems, agrees to develop a conservation plan that meets tolerable soil loss

**EAU CLAIRE COUNTY LAND CONSERVATION DIVISION
NUTRIENT MANAGEMENT PLAN APPLICATION**

I request cost sharing for 35 acres, and agree to the conditions listed on page 1 of this agreement:

Signature Wyatt Wathke Date 4-27-19
 Address E 5315 Cnty Rd HH Eleva, WI 54735
 Mailing Address City State Zip

THE NUTRIENT MANAGEMENT PLANNER FOR MY FARM IS:

Name Wyatt Wathke Address _____
 Phone _____

<u>LAND CONSERVATION COMMISSION ACTION:</u>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
_____ LCC Member	_____ Date	

FOR OFFICE USE ONLY

Plan reviewed meets NRCS standards

Signature Date

Total Acres	
Cost Share Rate (circle one)	\$12.00 / \$26.00 / \$40.00 per acre
Total Cost Share Amount	\$
State Cost Share	\$
County Cost Share	\$
Other	\$

The applicant has met the requirements and a copy of their plan was provided to the County.

LCD Signature Date



Eau Claire County
**DEPARTMENT OF PLANNING AND
 DEVELOPMENT**

Land Conservation Division
 227 First Street West, Altoona, WI 54720
 Phone: (715) 839-6226 ♦ Fax: (715) 839-6277
 www.co.eau-claire.wi.us

Housing & Community
 Development
 839-6240
 Emergency Services Management
 839-4736
 County Surveyor
 839-4742
 Planning & Development
 839-4743
 Building Inspection
 839-2944

RETURN COMPLETED APPLICATION TO:
 LAND CONSERVATION DIVISION (address above)
 QUESTIONS? CALL (715) 839-6226

COST SHARE APPLICATION FOR WELL ABANDONMENT

NAME Dan & Mary Fisher TOWNSHIP Washington
 TELEPHONE _____ Section # 4
 LOCATION 4350 S. Lowes Creek Rd 1/4, 1/4 SECTION NW NW
Eau Claire WI 54701

TYPE OF WELL (CHECK ONE): DRILLED DUG DRIVEN (SAND POINT)

DIMENSIONS OF WELL: 4 x 109'
 DIAMETER DEPTH

CLOSURE PLANS: MATERIAL (CHECK ONE): CHIPPED BENTONITE CONCRETE GROUT
 OTHER (SPECIFY): _____

BAGS OF MATERIAL: 12

ESTIMATED COST: \$ 768⁰⁰

(REIMBURSEMENT WILL BE 50% OF THE COST OF ABANDONMENT UP TO \$200.00)

AGREEMENT FOR COST SHARING

- AS A COST SHARE RECIPIENT, I AGREE TO:
1. Properly abandon the well, in accordance with specifications and provisions of the Natural Resources Chapter of the Wisconsin Administrative Code.
 2. Provide evidence of abandonment, including the completed Form 3300-5B, "Well/Drill Hole/Borehole Abandonment", and receipts for materials and labor.

Wisconsin Department of Natural Resources

Well / Drillhole / Borehole Filling & Sealing

Form 3300-005

Notice: Completion of this report is required by chs. 160, 281, 283, 289, 291-293, 295 and 299, Wis. Stats., and ch. NR 141 Wis. Adm. Code. In accordance with chs. 281, 289, 291-293, 295 and 299, Wis. Stats., failure to file this form may result in a forfeiture of between \$10-25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose.

Date of Filling & Sealing: 06/03/2019

Rec #: 161036

Verification. Check only if well filling & sealing was done previously and you are just verifying that work.: No

1. Well Location Information

County: Eau Claire		WI Unique Well #:		DNR Hicap Well #:	
Latitude: (DD.DDDDD°) 44.76961 °N		Longitude: (DD.DDDDD°) 91.48447 °W		GPS Method Code: GPS008	
Gov't Lot #:	Qtr/Qtr: NW	Quarter: NW	Section #: 4	Township #: 26 North	Range #: 9
Well Street Address: 4350 S LOWES CREEK RD				Subdivision Name:	
Well City/Village/Town: Town of WASHINGTON		Well Zip Code: 54701	Lot #:	Does a new well replace this well? Yes	
Reason for Filling & Sealing: UPGRADE OF OLD WELL				WI Unique Well # of Replacement Well: ZT815	

2. Facility / Owner Information

Facility Name:		FID #:	License/Permit/Monitoring #:		
Original Well Owner:		Service Category:			
Present Well Owner: DAN & MARY FISHER		Mailing Address of Present Owner: 4350 S LOWES CREEK RD			
		City: EAU CLAIRE	State: WI	Zip Code: 54701	

3. Well / Drillhole / Borehole Information

Well Type: Water Well	Original Construction Date: (mm/dd/yyyy)		Construction Type: Drilled		
Formation Type:	Total Well Depth From Ground Surface (ft.): 109.00		(specify Other):		
Casing Diameter (in.): 4.00	Lower Drillhole Diameter (in.):		Casing Depth (ft.):		
Was well annular space grouted?	If yes, to what depth (ft.)?		Depth to Water (ft.):		

4. Pump, Liner, Screen, Casing & Sealing Material

Pump and piping removed?	Yes	Liner(s) removed?	N/A	If no, was liner perforated?	
Screen removed?	N/A	Casing/Loop left in place?	Yes	Was casing cut off below surface?	No
Did sealing material rise to surface?	Yes	Did material settle after 24 hours?	No	If yes, was hole retopped?	
If bentonite chips were used, were they hydrated with water from a known water source?					Yes
Method of Placing Sealing Material: Screened & Poured (Bentonite Chips)			(Explain Other):		
Water Well Sealing Materials: Bentonite Chips			Monitoring Wells & other Drillholes:		

5. Material Used to Fill Well / Drillhole

Material:	From (ft.):	To (ft.):	# and Units of Sealant:	Mix Ratio or Mud Weight:
3/8TH BENTONITE CHIPS	Surface	109.00	12	3 MIN POUR

6. Comments

7. Supervision of Work

Name of Person or Firm Doing Filling & Sealing: OLSON KEN WELL DRLG & PUMP SER INC	License #: 0215	Phone: 715-832-7272
10224 20TH AVE EAU CLAIRE WI 54703-0288	Email Address: KOWD.EC@ATT.NET	

8. DNR Use Only

Signed On: 06/03/2019	Submitted By: Olson27	Received On: 06/03/2019	Approved On:
------------------------------	------------------------------	--------------------------------	---------------------

The Official Internet site for the Wisconsin Department of Natural Resources
101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621

Invoice

Invoice Number
10308

Invoice Date
Jun 3, 2019

Page
1

Ken Olson Well Drilling & Pump Svc, Inc
10224 20th Ave
Eau Claire, WI 54703

715-832-7272

Permit #215

Customer:

Mary & Dan Fisher
4350 S. Lowes Creek Rd
Eau Claire, WI 54701

Contractor:

Mary & Dan Fisher
4350 S. Lowes Creek Rd
Eau Claire, WI 54701

Customer ID

FISHER MARY & DAN

We Cannot Guarantee
Quantity or Quality of Water

Payment Terms

DUE UPON RECEIPT

Quantity	Item	Description	Unit Price	Extension
1.00	Complete Pump Job (See * Below)	Grundfos SQ07-200 pump; WR-140 tank	2,400.00	2,400.00
1.00	Cost of excavation		375.00	375.00
4.00	Hours Labor to abandon old well		150.00	600.00
12.00	Bentonite chips		14.00	168.00

Thank you!

Check No

Total Invoice Amou

3,543.00

Payment Receiver

0.00

TOTAL

\$3,543.00

A service charge of 1-1/2% per month (18% per annum) will be added on all past due charges.

pd 6 June 2019
Page 17

6103



Eau Claire County
**DEPARTMENT OF PLANNING AND
 DEVELOPMENT**

Land Conservation Division
 227 First Street West, Altoona, WI 54720
 Phone: (715) 839-6226 ♦ Fax: (715) 839-6277
 www.co.eau-claire.wi.us

Housing & Community
 Development
 839-6240
 Emergency Services Management
 839-4736
 County Surveyor
 839-4742
 Planning & Development
 839-4743
 Building Inspection
 839-2944

RETURN COMPLETED APPLICATION TO:
 LAND CONSERVATION DIVISION (address above)
 QUESTIONS? CALL (715) 839-6226

COST SHARE APPLICATION FOR WELL ABANDONMENT

NAME Matthew Werlein TOWNSHIP 27N
 TELEPHONE 715 495 8086 Section # 12
 LOCATION 5449 Burnell Dr 1/4, 1/4 SECTION NE NW

TYPE OF WELL (CHECK ONE): DRILLED DUG DRIVEN (SAND POINT)

DIMENSIONS OF WELL: 5.5 x 100
 DIAMETER DEPTH

CLOSURE PLANS: MATERIAL (CHECK ONE): CHIPPED BENTONITE CONCRETE GROUT
 OTHER (SPECIFY): _____

BAGS OF MATERIAL: 23

ESTIMATED COST: \$592.00 - including labor

(REIMBURSEMENT WILL BE 50% OF THE COST OF ABANDONMENT UP TO ~~\$200.00~~
\$400.00)

AGREEMENT FOR COST SHARING

As A COST SHARE RECIPIENT, I AGREE TO:

1. Properly abandon the well, in accordance with specifications and provisions of the Natural Resources Chapter of the Wisconsin Administrative Code.
2. Provide evidence of abandonment, including the completed Form 3300-5B, "Well/Drill Hole/Borehole Abandonment", and receipts for materials and labor.

**EAU CLAIRE COUNTY LAND CONSERVATION DIVISION
COST SHARE APPLICATION FOR WELL ABANDONMENT**

I request cost sharing for the Well Abandonment listed on Page 1 of this agreement and will provide the appropriate paperwork per the "Agreement for Cost Sharing":

SIGNATURE Matt A. Miller DATE 5-17-18
 ADDRESS 5449 Burnell Dr Eau Claire WI 54703
MAILING ADDRESS CITY STATE ZIP

THE COUNTY AGREES TO COST-SHARE THE WELL ABANDONMENT ONCE RECEIPTS AND PROPER CERTIFICATION HAVE BEEN RECEIVED:

LAND CONSERVATION COMMISSION ACTION: APPROVED DENIED

Robin J. Seery 6-10-19
LCC MEMBER DATE

FOR OFFICE USE ONLY

TOTAL PROJECT COSTS INCURRED BY APPLICANT: \$ 592.00
 COST SHARE RATE: X 50 %
 ELIGIBLE COST SHARE AMOUNT: \$ 296.00
 (Form 3300-5B and receipts are attached)

THE APPLICANT HAS MET ALL PROGRAM REQUIREMENTS AND IS ELIGIBLE TO RECEIVE THE COST SHARE PAYMENT FROM EAU CLAIRE COUNTY IN THE AMOUNT SHOWN ABOVE:

[Signature] 11 JUN 2019
ADMINISTRATOR'S SIGNATURE DATE

Wisconsin Department of Natural Resources

Form 3300-005

Well / Drillhole / Borehole Filling & Sealing

Notice: Completion of this report is required by chs. 160, 281, 283, 289, 291-293, 295 and 299, Wis. Stats., and ch. NR 141 Wis. Adm. Code. In accordance with chs. 281, 289, 291-293, 295 and 299, Wis. Stats., failure to file this form may result in a forfeiture of between \$10-25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose.

Date of Filling & Sealing: 05/07/2019

Rec #: 160768

Verification. Check only if well filling & sealing was done previously and you are just verifying that work.: No

1. Well Location Information

County: Eau Claire		WI Unique Well #:		DNR Hicap Well #:	
Latitude: (DD.DDDDD°) 44.8431 °N		Longitude: (DD.DDDDD°) 91.4173 °W		GPS Method Code: GPS008	
Gov't Lot #:	Qtr/Qtr: NE	Quarter: NW	Section #: 12	Township #: 27 North	Range #: 9 West
Well Street Address: 5449 BURNELL DR				Subdivision Name:	
Well City/Village/Town: Town of SEYMOUR		Well Zip Code: 54703	Lot #:	Does a new well replace this well? Yes	
Reason for Filling & Sealing: STOVE PIPE- ILLEGAL CASING				WI Unique Well # of Replacement Well: ZV972	

2. Facility / Owner Information

Facility Name:		FID #:	License/Permit/Monitoring #:		
Original Well Owner:		Service Category:			
Present Well Owner: MATTHEW WERLEIN		Mailing Address of Present Owner: 5449 BURNELL DR			
City: EAU CLAIRE		State: WI	Zip Code: 54703		

3. Well / Drillhole / Borehole Information

Well Type: Water Well	Original Construction Date: (mm/dd/yyyy)	Construction Type: Drilled
Formation Type:	Total Well Depth From Ground Surface (ft.): 100.00	(specify Other):
Casing Diameter (in.): 5.50	Lower Drillhole Diameter (in.):	Casing Depth (ft.):
Was well annular space grouted?	If yes, to what depth (ft.):	Depth to Water (ft.):

4. Pump, Liner, Screen, Casing & Sealing Material

Pump and piping removed?	Yes	Liner(s) removed?	N/A	If no, was liner perforated?	
Screen removed?	N/A	Casing/Loop left in place?	Yes	Was casing cut off below surface?	Yes
Did sealing material rise to surface?	Yes	Did material settle after 24 hours?	No	If yes, was hole retopped?	
If bentonite chips were used, were they hydrated with water from a known water source?					Yes
Method of Placing Sealing Material: Screened & Poured (Bentonite Chips)			(Explain Other):		
Water Well Sealing Materials: Bentonite Chips			Monitoring Wells & other Drillholes:		

5. Material Used to Fill Well / Drillhole

Material:	From (ft.):	To (ft.):	# and Units of Sealant:	Mix Ratio or Mud Weight:
3/8 BENTONITE CHIPS	Surface	100.00	23	3-MIN POUR

6. Comments

7. Supervision of Work

Name of Person or Firm Doing Filling & Sealing:	OLSON KEN WELL DRLG & PUMP SER INC	License #:	0215	Phone:	715-832-7272
---	------------------------------------	------------	------	--------	--------------

10224 20TH AVE EAU CLAIRE WI 54703-0288	Email Address:	KOWD.EC@ATT.NET
---	----------------	-----------------

8. DNR Use Only

Signed On:	05/14/2019	Submitted By:	Olson27	Received On:	05/14/2019	Approved On:	
------------	------------	---------------	---------	--------------	------------	--------------	--

The Official Internet site for the Wisconsin Department of Natural Resources
 101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621

The following are the Technical Standards referenced within Chapter 17.04 - Agricultural Performance Standards and Manure Storage of the Eau Claire County Code. These Technical Standards were adopted as part of the recreation of Chapter 17.04 on June 18, 2019 by the Eau Claire County Board of Supervisors.

Number	Technical Standard	Date
590	Nutrient Management	December 2015
520	Pond Sealing or Lining, Compacted Soil Treatment	October 2017R
522	Pond Sealing or Lining, Concrete	October 2017R
521	Pond Sealing or Lining, Geomembrane or Geosynthetic Clay Liner	October 2017R
528	Prescribed Grazing	April 27, 2017
558	Roof Runoff Structure	August 2018
367	Roofs and Covers	April 2016
318	Short Term Storage of Animal Waste and By-Products	October 2017R
360	Waste Facility Closure	May 2018
313	Waste Storage Facility	October 2017R
634	Waste Transfer	1/14
629	Waste Treatment	January 2017

adopted by Eau Claire County Land Conservation Commission

July 29, 2019

Any future amendment, revision or modification of these standards will be made a part of Chapter 17.04 upon adoption by the Eau Claire County Land Conservation Commission.



Eau Claire County Conservation Cost Share Program

EAU CLAIRE COUNTY
LAND CONSERVATION



1. Objectives: The Primary Objectives of this program are:

- A. To provide for the wise use of appropriated public funds for conservation of our natural resources.
- B. To provide financial incentives to install needed conservation practices.
- C. To reduce soil erosion and improve water quality in Eau Claire County.

2. Policies:

A. Administrative:

The program oversight will be provided by the Eau Claire County Land Conservation Commission (LCC) and supervised by the Land Conservation Division (LCD) staff.

B. Technical Assistance:

LCD staff will provide technical assistance for the survey, design, construction supervision, and certification of installed practices. All practices installed must meet Natural Resources Conservation Service (NRCS) Standards and Specifications as described in the Technical Guide.

C. Applicant Eligibility:

- i. All landowners and projects within Eau Claire County are potentially eligible for this program.
- ii. Any eligible applicant will have the opportunity to request cost sharing regardless of race, sex, creed, color, age, national origin, or handicap.

D. Eligible Projects & Priority:

- i. The following practices are eligible for cost-sharing and ranked as "High" or Low" priority based on significance of reducing erosion or pollution, or **bringing a site into compliance with the Agricultural Performance Standards and Prohibitions contained within Chapter 17.04.** (Other practices described in the NRCS Technical Guide must be approved by the LCC to be eligible):

<u>Practice</u>	<u>Priority</u>
Grassed Waterways, Diversions & Crossings *	High
Erosion Control Structures (rock chutes, dams, grade stabilization, etc.) *	High
Stream Bank Protection (rip rap, fencing, crossings, sloping & seeding)	High
Contour Strip Cropping	High
Well Abandonments	High
Fuel Storage Containments	High
Barnyard Run-off (filter walls, filter strips, roof run off management, land shaping, concrete) #	High
Cattle Waterers	High
Managed Grazing Systems	High
Manure Storage Facilities	High
Manure Storage Abandonments	High
Nutrient Management (590) Plans	High
Critical Area Treatment	Low
Tree Planting & Windbreaks	Low
Woodland Fencing	Low

* 50% of the uplands must be treated (cropland to "T", woodlands protected from grazing) to prevent filling in of these practices
 # Must have significant runoff, as determined using the "Barny" runoff model.

- ii. Cost sharing is NOT authorized for: portable irrigation pumps and equipment, building or modifications to buildings, wildlife ponds, spreading animal waste, no-till planting, black dirt/top soil mining in waterways, practices installed for the operator's convenience, or for installation of practices that have started prior to Land Conservation commission (LCC) approval.
- iii. Emergency repairs, contour strips and well abandonments under \$500 up to \$1,000 may be approved by the LCD supervisor manager prior to LCC approval.
- iv. A Nutrient Management (590) Plan is required for barnyard systems approved under this program and/or barnyard and livestock facilities. The Nutrient Management Plan must be signed by a certified plan preparer and implemented by the cost share recipient, effective July 1, 1995.

E. Cost Share Rates & Limits:

- i. Cost share rates and limits are as follows:
 - 1. All projects: 75% maximum cost share rate on the total project cost, excluding those listed as follows:
 - a. Conservation tillage, Strip cropping, tree planting, Nutrient Pest Management (590) Plans, and fencing can be based on a unit rate, such as acres or rods and are consistent with Wisconsin Department of Agriculture, Trade, and Consumer Protection (WI DATCP) rates.
 - b. Fuel storage: 50% cost share rate, up to a \$500 maximum payment.
 - c. Well abandonment materials and labor: 50% cost share rate, up to a \$400 maximum payment.
 - ii. Cost sharing may be authorized for projects signed up under Federal or State Cost-Share Programs. Maximum cost share will not exceed rates and limits listed above.
 - iii. Eau Claire County LCC cost containment procedures will be followed.

F. Variances

The LCC may authorize a variance from these policies when, upon showing by the applicant, unnecessary hardship would result from being denied cost share funds. The granting of a variance for unnecessary hardship must be based on findings by the LCC that:

- i. The plight of the applicant is due to unique circumstances and not to the general conditions of the area, and;
- ii. The conditions authorized by the variance will not have significant off-site impacts.

G. Practice Lifespan, Maintenance, Restoration & Payback

- i. Practice lifespan is a minimum of ten years.
- ii. The practice will be maintained by the property owner for its lifespan. Random spot checks will be made by the LCD staff to determine if the practice is being operated and maintained for the purpose intended.
- iii. Restoration of the practice may be authorized by the LCC for cost sharing where the practice was installed with cost sharing from this program and failed for reasons beyond the control of the landowner.
- iv. Cost share payback will be required if the practice is not maintained for the designated lifespan. The payback amount will be determined by the LCC based on the extent to which

- the practice is deemed non-functional. If ownership, land use, or management changes during the practice lifespan, payback of the amount cost-shared will be required, unless:
- a. The new owner, in writing, will assume operations and maintenance of the practices.
 - b. It is demonstrated that the change in land use or management will not increase soil erosion or deteriorate water quality.

3. PROCEDURES

A. Servicing

- i. The LCD will screen application for eligibility and feasibility.
- ii. Within one month of application, the LCC will review applications and staff recommendations. The LCC may approve, deny, or request additional information at that time. Cost estimates will be included with applications.
- iii. Applicants will be notified in writing of the LCC's decision regarding their request.

B. Construction Supervision & Compliance Check

- i. All cost share projects must be supervised during construction by LCD staff. All construction must follow the design standards and specifications.
- ii. LCD staff will conduct a construction check when the project is completed to verify compliance with the design.

C. Certification & Payment

- i. LCD staff will certify that the project is complete and has met standards and specifications. Any exceptions must be approved by the LCC.
- ii. The applicant must submit all bills and/or receipts to the LCD Manager for payment. County procedures will be followed to process payment.
- iii. Partial payment may be made provided the landowner has signed an agreement to complete the practice in the next program year.

D. Extensions

- i. Applicants may request an extension, in writing, if they were unable to install their approved project during the calendar year they signed up in. Extensions will be granted for one year.
- ii. The Manager will cancel projects for which extensions have not been filed or approved. The Manager may also cancel projects at the landowner's request.

E. Annual Report

The LCD will submit to the LCC and the Eau Claire County Board an annual report containing the following:

- i. Number and types of practices installed.
- ii. Total cost share amount for each project.

F. Records & Documents

All records, documents, field notes, design, and certification information for each project will be kept on file in the LCD Office.

G. Other

The LCC may review and amend these policies and procedures as deemed necessary. Current NRCS or WI DATCP policies may be used as guidelines in reviewing policies and procedures.

**Memorandum of Understanding:
Acceptance of Nutrient Management Plans
Which Include Fields in Adjoining Counties**

Memorandum of Understanding

Between

Eau Claire County Land Conservation Division

and

Chippewa County Land Conservation & Forest Management

This Memorandum of Understanding (MOU) sets for the terms and understanding between the Eau Claire County Land Conservation Division (EC County) and the Chippewa County Land Conservation & Forest Management Department (Chip. County) in regards to acceptance of nutrient management plans which include fields in adjoining counties.

Background

Both EC County and Chip. County administer and implement various conservation programs and ordinances within their respective county boundaries. Often time these program and ordinance requirements are similar, but one county's requirements could be different. These programs and ordinances are in relation to agricultural practices, and often farmers will operate agricultural land in multiple counties. Included in these programs and ordinances are often requirements for the farmer to develop, submit, and follow a nutrient management plan for all cropland. This may cause one county to accept a nutrient management plan which includes land in an adjoining county that has different requirements for nutrient management plan development.

Purpose

This MOU will establish a mutual understanding for the acceptance of nutrient management plans which include fields in adjoining counties. The goal will be to insure that nutrient management plans implemented within a county follow that county's requirements regardless of which county accepts the plan for program or ordinance requirements.

The above goal will be accomplished by undertaking the following activities:

- Each county will keep the other county informed of the nutrient management standards that apply within their respective county.
- Each county will recognize and accept the nutrient management standards of the adjoining county.
- Each county will require the farmer or consultant submitting a nutrient management plan which includes land in the adjoining county to follow the nutrient management standards in which the field is geographically located. If a field happens to be geographically located in both counties, the more restrict nutrient management standards will apply to the entire field, unless the farmer or consultant agrees to divide the field on the county boundaries.

- Each county will report to the other county the details of an accepted nutrient management plan which includes land in the adjoining county. The report will include, at a minimum, the nutrient management plan checklist and a map of the field boundaries. The report should be presented at soon as practical, but no later than June 15.

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from EC County and Chip. County. This MOU shall become effective upon signature by the authorized officials from the EC County and Chip. County and will remain in effect until modified or terminated by any one of the partners by mutual consent. This MOU will be reevaluated by each county on an annual basis.

Contact Information

Partner name
 Partner representative
 Position
 Address
 Telephone
 Fax
 E-mail

Partner name
 Partner representative
 Position
 Address
 Telephone
 Fax
 E-mail

Draft

_____ Date:
 (Partner signature)
 (Partner name, organization, position)

_____ Date:
 (Partner signature)
 (Partner name, organization, position)

Water Quality Trade Projects Agreement

Agreement made _____, 2019 between City of Augusta (hereinafter “City”), and Eau Claire County Land Conservation Division (hereinafter “County”).

1. **Purpose.** City needs to implement some Water Quality Trading (hereinafter “WQT”) projects to maintain compliance with Phosphorus limit in WPDES Permit for its wastewater treatment plant. The County has experience working on similar projects and can develop concepts, obtain the support of the property owners, design and construct projects and monitor performance.
2. **City Responsibilities.** City has the following responsibilities:
 - a. To prepare the WQT Plan and obtain Department of Natural Resources (hereinafter “DNR”) approval for it;
 - b. To pay the full construction costs for the WQT work plus Fifteen percent (15%) broker fee to the County. The total sum shall be paid to an escrow account after bids are received and before construction begins;
 - c. The 15% brokers fee will be based on the full cost of construction and not reduced if City receives financing from another sources that reduces city’s costs. The brokers fee shall cover all costs incurred by County staff on the City WQT projects. The brokers fee shall be payable to the Eau Claire County Land Conservation Commission;
 - d. Receive all WQT credits.
3. **County Responsibilities.** County has the following responsibilities:
 - a. Identify potential projects;
 - b. Make contact with property owners;
 - c. Collect soil samples as required by DNR;
 - d. Photograph site per DNR standards;
 - e. Assist with Phosphorous mass calculations;
 - f. Participate in 3rd party agreement and obtain property owners support. Act as the “broker”;
 - g. Prepare plans and obtain permits;
 - h. Bid construction;
 - i. Ensure contractor complies with appropriate standards and specifications;
 - j. Prepare DNR Management Practice Registration;
 - k. Pay construction costs as incurred from the escrow account established under 2b. above. In the event that construction costs are expected to increase by greater than 10%, County shall receive written approval from City before proceeding. Any funds remaining in the escrow account at the conclusion of construction shall be returned to City;
 - l. Provide annual inspections to check on maintenance for 10 years post project completion.
4. **Timeline.** The agreement is to be effective on signing and the WQT Plan – including the projects identified, phosphorus credits calculated, concept plans and cost estimates prepared and agreements in place – is to be completed by June 15, 2020. Construction must begin by June 1, 2021.
5. **Venue.** The laws of the State of Wisconsin shall govern this Contract and executed amendments thereto. Venue for all legal proceedings arising out of this Contract or breach thereof, shall be exclusively in Eau Claire County Circuit Court, Eau Claire, Wisconsin.

6. **Hold Harmless.** The City shall defend, indemnify and hold the County, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the negligence of the County.

City of Augusta

Eau Claire County Land Conservation Division

By _____

By _____

STATE OF WISCONSIN)
(SS
EAU CLAIRE COUNTY)

The foregoing instrument was acknowledged before me in this _____ day of _____, 2019, by Delton J. Thorson, Mayor of the City of Augusta

Notary Public
My commission (is permanent) expires _____

STATE OF WISCONSIN)
(SS
EAU CLAIRE COUNTY)

The foregoing instrument was acknowledged before me in this _____ day of _____, 2019, by Gregory R. Leonard, Land Conservation Manager for Eau Claire County Land Conservation Division

Notary Public
My commission (is permanent) expires _____

- AUTHORIZING THE LAND CONSERVATION MANAGER TO ACT ON BEHALF OF EAU CLAIRE COUNTY TO ENTER INTO AN AGREEMENT WITH THE CITY OF AUGUSTA, WISCONSIN FOR THE PURPOSE OF IMPLEMENTING A WATER QUALITY TRADING PROGRAM -

WHEREAS, the City of Augusta, Wisconsin is interested in utilizing Water Quality Trading to achieve compliance with their Wisconsin Pollutant Discharge Elimination System permit as allowed in Wis. Stats. § 283.84, and

WHEREAS, the City of Augusta has requested Eau Claire County Land Conservation Division to serve as a credit broker for Water Quality Trading, and

WHEREAS, Eau Claire County Land Conservation can effectively bridge communication between point and nonpoint sources, identify potential credit generators in the watershed, can oversee trading, has expertise in agricultural performance standards compliance and cost-share agreements, and can effectively reach out to, and work with, farmers and municipalities in the county, and

WHEREAS, entering into a Water Quality Trading program agreement with the City of Augusta will assist Eau Claire County achieve the goals of surface water protection as outlined within the EPA and DNR approved Eau Claire River Watershed 9-key element plan,

NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors authorizes the land conservation manager to act on behalf of Eau Claire County to:

- Sign a Water Quality Trading Project Agreement with the City of Augusta, Wisconsin;
- Enter into Water Quality Trading Agreements with the City of Augusta, Wisconsin and the landowner/operator to install best management practices;
- Sign and submit interim and final reports and other documentation as required by the Water Quality Trading program; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Eau Claire County shall comply with all state and federal laws, regulations and permit requirement pertaining to implementation of this project.

ADOPTED: July 16, 2019

Janet K. Loomis
County Clerk

Greg Leonard

From: Davy, Michael <mfedavy@davyinc.com>
Sent: Friday, November 16, 2018 2:01 PM
To: Greg Leonard
Cc: Kim Krueger (kkaugusta@centurytel.net); Dan Marcheske - City of Augusta (dmarcheske@cityofaugusta.org); Nelson, Brice; Cynthia Anderegg
Subject: County LCD Help for Augusta WQT
Attachments: Example 3-Party WQT Agreement.pdf

The City of Augusta needs to implement some Water Quality Trading (WQT) projects in order to maintain compliance with the Phosphorus limit in the WPDES Permit for their wastewater treatment plant. Augusta would like your help. Having the support and involvement of the county Land Conservation Department is the key to successful WQT projects. LCD's work on similar projects all the time and have the experience and relationships necessary to develop concepts, obtain the support of property owners, design and construct projects and monitor performance. The following list covers some of the specific actions recommended for the Eau Claire County LCD:

1. Identify potential projects
2. Make contact with property owners
3. Collect soil samples (required by DNR)
4. Photograph site
5. Assist with Phosphorus calculations
6. Participate in a 3-party agreement and obtain property owner's support. Act as the "broker" (example attached)
7. Prepare plans and obtain permits
8. Bid construction
9. Manage construction
10. Provide annual inspections to check on maintenance

We would help, of course, and take the lead in preparing the Water Quality Trading Plan for DNR. The municipality would pay 100% of the construction cost, likely a better deal for the property owner than most County-funded programs. In addition, we will recommend that the municipality also pay a 10% brokerage fee to the County for this assistance.

Augusta's WPDES Permit currently has a 1.0 mg/L Phosphorus limit that will be reduced to 0.075 mg/L. As designed, the treatment facility can meet 0.5 mg/L, perhaps 0.3 mg/L. At the current flow of 90 MG and 0.5 mg/L, the Augusta WWTP discharges about 375 lbs. P/year. The target concentration of 0.075 mg/L yields approximately 56 lbs. P/year. With an assumed Trade Ratio of 3:1, a WQT would need to provide $(375 - 56) \times 3 = 957$ lbs. P/year to offset.

Bank stabilization projects are usually the simplest and most cost-effective for phosphorus reduction. They are also fairly easy to maintain, making the WQT credits somewhat permanent. The amount of Phosphorus reduction is very site specific, of course, but some other projects have generated about 0.3 lbs. P/year per linear foot of bank stabilization. To get the 957 lbs./year estimated for Augusta, about 3,190 lin. ft. of bank stabilization may be necessary. With a cost of \$30 per linear foot, the construction cost is estimated to be \$95,700. For Augusta, we recommend first trying to develop a bank stabilization project on the Erdmann farm in Diamond Valley. Augusta already approached them about getting out of the cattle business but they are not interested. Just in a drive-by, the site needs a lot of work to control bank erosion and cattle damage. Stabilizing the stream banks on both sides for about 1,600 lin. ft. may generate all the credits that Augusta needs.

Estimate of Eau Claire County LCD expenses for Water Quality Trading project with the City of Augusta

1. **County Responsibilities.** County has the following responsibilities:

	Responsible staff position	rate (2020)	time involved (hours)	subtotal
a. Identify potential projects;				
b. Make contact with property owners;				
f. Participate in 3 rd party agreement and obtain property owners support. Act as the "broker";	Technician	\$43.81	16	\$700.96
c. Collect soil samples as required by DNR;				
d. Photograph site per DNR standards;	Technician	\$43.81	16	\$700.96
e. Assist with Phosphorous mass calculations;				
g. Prepare plans and obtain permits;	Technician	\$43.81	40	\$1,752.40
h. Bid construction;	Admin. Specialist	\$22.81	4	\$91.24
i. Ensure contractor complies with appropriate standards and specifications;	Technician	\$43.81	60	\$2,628.60
j. Prepare DNR Management Practice Registration;	Technician	\$43.81	8	\$350.48
k. Pay construction costs as incurred from the escrow account established under 2b. above. In the event that construction costs are expected to increase by greater than 10%, County shall receive written approval from City before proceeding. Any funds remaining in the escrow account at the conclusion of construction shall be returned to City;	Admin. Specialist	\$22.81	8	\$182.48
	Land Conservation Manager	\$51.19	4	\$204.76
l. Provide annual inspections to check on maintenance for 10 years post project completion. <i>(estimated at 1 day each year)</i>	Technician	\$43.81	80	\$3,504.80

Subtotal of staff: \$10,116.68

Equipment, office, travel (42% of staff expense, based on 2019 budget): \$4,249.01

Grand Total \$14,365.69

- AUTHORIZING THE LAND CONSERVATION MANAGER TO ACT ON BEHALF OF EAU CLAIRE COUNTY TO ENTER INTO AN AGREEMENT WITH THE CITY OF AUGUSTA, WISCONSIN FOR THE PURPOSE OF IMPLEMENTING A WATER QUALITY TRADING PROGRAM -

WHEREAS, the City of Augusta, Wisconsin is interested in utilizing Water Quality Trading to achieve compliance with their Wisconsin Pollutant Discharge Elimination System permit as allowed in Wis. Stats. § 283.84, and

WHEREAS, the City of Augusta has requested Eau Claire County Land Conservation Division to serve as a credit broker for Water Quality Trading, and

WHEREAS, Eau Claire County Land Conservation can effectively bridge communication between point and nonpoint sources, identify potential credit generators in the watershed, can oversee trading, has expertise in agricultural performance standards compliance and cost-share agreements, and can effectively reach out to, and work with, farmers and municipalities in the county, and

WHEREAS, entering into a Water Quality Trading program agreement with the City of Augusta will assist Eau Claire County achieve the goals of surface water protection as outlined within the EPA and DNR approved Eau Claire River Watershed 9-key element plan,

NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors authorizes the land conservation manager to act on behalf of Eau Claire County to:

- Sign a Water Quality Trading Project Agreement with the City of Augusta, Wisconsin;
- Enter into Water Quality Trading Agreements with the City of Augusta, Wisconsin and the landowner/operator to install best management practices;
- Sign and submit interim and final reports and other documentation as required by the Water Quality Trading program; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Eau Claire County shall comply with all state and federal laws, regulations and permit requirement pertaining to implementation of this project.

ADOPTED:

Lucy Gil
June A. Running
Joseph Wright

Robin J. Leary

Planning and Development Committee

Dated this 9th day of July, 2019.

Reviewed by Finance Dept. for Fiscal Impact

APPROVED BY CORPORATION COUNCIL AS TO FORM ORDINANC/19-20/035