

AGENDA

Eau Claire County

- Land Conservation Commission •

Date: Monday, October 21, 2019

Time: 1:00 P.M.

Location: *Ag Resource Center, Room-203
227 1st Street West, Altoona, WI 54720*

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 September 16, 2019 meeting **Page 2-3**
5. Review Vouchers and Ledger Update – Discussion **Page 4-6**
6. Cost-Share Applications – Discussion/Action **Page 7-12**
7. NACD Conservation Investment – Discussion/Action **Page 13**
8. Conservation Awards (for discussion only)
9. Manure storage, manure transfer systems, and barn gutters – Discussion/Action **Page 14-20**
10. Committee, Staff and Agency Updates
 - a. Land Stewardship Subcommittee Update
 - b. Potential outcomes of the Speakers Task Force on Water Quality
 - c. Multi-Discharger Variance (MDV) program
 - d. Water Quality Trading with the City of Augusta
11. Future agenda items
12. Set dates for next meetings – Discussion/Action
 - a. Joint meeting with Groundwater Advisory and Planning & Development-October 22 at **5:30 p.m.**
 - b. Regular meeting date and location
13. Adjourn

Prepared by:

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals 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 (TDD) 839-4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703

Eau Claire County
LAND CONSERVATION COMMISSION MINUTES

Monday, September 16, 2019 • 11:00 a.m.
Agriculture & Resource Center • 227 – 1st Street West • Room AG103/104
Altoona, Wisconsin

Members Present: Robin Leary, Gary Gibson, Tami Schraufnagel (arrived at 11:03 a.m.), Glory Adams, Heather DeLuka, Ray Henning, Ricky Strauch

Members Absent: Dean Solie

Staff Present: Greg Leonard and Liz Fagen

Others Present: Marlys Leary

1. Call to Order

Chair Leary called the meeting to order at 5:00 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 August 26, 2019 meeting – Discussion/Action

ACTION: Motion by Gibson/Henning to approve the August 26, 2019 minutes as presented. Motion carried, 6-0-0.

(Schraufnagel arrived)

5. Review Vouchers and Ledger Update – Discussion

The August expenditures and revenues were reviewed. The expense for the summer meeting was repeated in the invoices. This will be corrected.

6. Cost-Share Applications – Discussion/Action

There were no Cost-Share Applications.

7. Authorized individuals to sign Nutrient Management Memorandum of Understanding with Adjoining Counties – Discussion/Action – Discussion/Action

The resolution authorizing the Land Conservation Manager to act on behalf of the LCC for entering a nutrient management memorandum of understanding was presented and discussed.

ACTION: Motion by Adams/DeLuka approve the resolution as presented. Motion carried, 7-0-0.

8. Potential joint meeting of Groundwater Advisory and Planning & Development concerning groundwater project with Leonard Rice Engineering – Discussion/Action

Jim Dunning, Groundwater Advisory Committee chair, has been contacted by the Leonard Rice Engineering firm. The firm wishes to provide a presentation of their potential services. The meeting/presentation is scheduled for 6:00 p.m. on October 22nd. The Land Conservation Commission could formally meet or attend as the public.

ACTION: Motion by Strauch that the Eau Claire County Land Conservation Commission will formally meet jointly with the Groundwater Advisory Committee and the Planning & Development Committee on October 22, 2019 at 6:00 p.m. Motion carried, 7-0-0.

9. Staff and Agency Updates

Fagen provided an update on the Municipal Separate Storm Sewer System (MS4) storm water management permit and the Stormwater Pollution Prevention Plan (SWPPP).

- a. Land Stewardship Subcommittee Update: Land Stewardship continues working on an event for Eau Claire River riparian owners tentatively scheduled for Spring/Summer of 2020.
 - b. Speakers Task Force on Water Quality: Both Adams and Leonard attended the public hearing in Menomonie on September 4. Both provided oral comments during public comment period.
 - c. Scope Statement on NR-151 Targeted Performance Standards on Nitrate in Sensitive Areas: This is just a scope statement currently.
 - d. Multi-Discharger Variance (MDV) program: We have secured additional grant and donated funds to utilize with MDV funds to secure a No-Till Drill at no cost to the county.
 - e. Water Quality Trading with the City of Augusta: The City of Augusta has entered into the agreement to implement the Water Quality Trading project.
10. Future agenda items
Municipal separate storm sewer system (MS4) storm water management permit updates will be added to staff updates, and Conservation Awards discussions should begin next month.
11. Set dates for next meetings
The next meeting was set for Monday, October 21, 2019 at 1:00 pm in the Ag Center. The LCC will meet jointly with the Groundwater Advisory and the Planning & Development Committees on Tuesday, October 22, 2019 at 6:00 pm in the County Board Room.
12. Adjourn
Leary adjourned the meeting at 11:50 am.

Respectfully submitted,



Greg Leonard
Clerk, Land Conservation Commission

Land Conservation Division SEPTEMBER

Invoices

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

Vendor	Account #	Amount	Description
(PC) Advanced Auto Parts	56922-241-000	\$ 19.99	Wiper Blades
(PC) Amazon JH	56920-310-000	\$ 42.18	Phone Cases-AP CB
(PC) Amazon JH	56920-310-000	\$ 17.29	LF Phone Case
(PC) Express Lube LF	56922-241-000	\$ 47.44	2015 Oil Change
(PC) Fet Inc. LF	56922-340-000	\$ 130.00	Regulation training
(PC) Gemplers	56920-310-000	\$ 39.53	Boot Covers
Lake Eau Claire Protection District	57730-820-000	\$ 13,016.80	Sediment Removal/Aeration Cost Share
Messerschmidt, Dave	56924-200-707	\$ 7,670.00	SEG-19-05
Northland Excavating	56929-389-719	\$ 14,245.00	TRM-01-19 Krenz
Ron Erickson Excavating	56924-483-706	\$ 769.25	BD-19-01 CCS
Ron Erickson Excavating	56924-200-706	\$ 10,769.50	BD-19-01 BOND Cost Share
Straight Line Fence	56922-477-702	\$ 6,903.00	Weiss Fence Install Cost Share
Voyager	56922-330-000	\$ 379.50	August Voyager Fuel Expense
Total		\$ 54,049.48	

PC=Pro Card ie: credit card purchases

Deposits

The following deposits were taken to the Treasury Department to be processed.

Description	Account Number	Amount Deposited	Date
EC-25-19 Menards Truck Parking	46820-000-000	\$23.61	9/4/2019
SW-05-19 London Road Apartments	46820-000-000	\$752.18	9/4/2019
EC-26-19 Calla Ville Dairy	46820-000-000	\$280.00	9/4/2019
SW-04-19 Trilogy	46820-000-000	\$480.00	9/4/2019
SW-04-19 Trilogy	46820-000-000	\$4,138.00	9/13/2019
EC-27-19	46820-000-000	\$280.00	9/13/2019
EC-29-19 Trillium	46820-000-000	\$293.65	9/13/2019
EC-28-19 Rinka Pond	46820-000-000	\$280.00	9/30/2019
AWO-2019-04 Bien	44902-000-000	\$220.00	9/30/2019
Total		\$6,747.44	

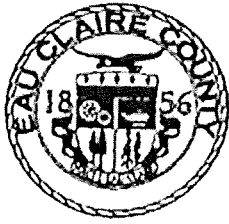
10/16/2019

2018 DATCP Bond funds													
Applicant	CCS #	Practice	Current status	State Cost-Share rate	Project Costs		Landowner share		County Cost Share (5%)		Bond Funds (50 or 70%)		
					Estimated	Final Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	
					(once actual cost is entered, delete Estimated Cost)				\$10,000.00				
Carried Forward from Previous Year					Bond Funds carried from Previous Year ----->								
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Carry Over Totals									----- (see Totals below) -----		\$0.00	\$0.00	
Carry Over Grant Balance (includes estimated values)											\$0.00		
2019					<small>(if a project is carried forward to next year, do NOT enter Actual costs in this year's sheet. Actual Costs are recorded in the year paid)</small>				Sum of Transfers Amt ----->		\$40,250.00		
									Bond Fund Grant Amt ----->		\$40,250.00		
Richard Halvorson	BD-19-01	360-Waste Facility Closure	Paid	70%	\$15,385.00	\$0.00	\$3,846.25	\$0.00	\$769.25	\$0.00	\$10,769.50		
Tom Peiper		Stream Bank Stabilization	Discussions only			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Doug Knuth		Grazing/Barnyard	Promised to Landowner			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
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						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Well Abandonment			Maximum:	\$400.00									
Werlein, Matt		Well Abandonment	Paid	50%	\$592.00	\$0.00	\$296.00	\$0.00	\$296.00				
Fisher, Mary		Well Abandonment	Paid	50%	\$768.00	\$0.00	\$384.00	\$0.00	\$384.00				
Kubesh, Sarah		Well Abandonment	Discussions only	50%	\$800.00	\$400.00	\$0.00	\$400.00	\$0.00				
						\$0.00	\$0.00	\$0.00	\$0.00				
						\$0.00	\$0.00	\$0.00	\$0.00				
TOTALS					\$800.00	\$16,745.00	\$400.00	\$4,526.25	\$400.00	\$1,449.25	\$0.00	\$10,769.50	
						(above total does NOT include Carry Over projects)	(above total includes Carry Over projects)	(above total includes Carry Over projects)	(above total does NOT include Carry Over projects)				
							Landowner share	County Cost Share	Bond Funds (Land & Water Management)				
Current Year Grant Balances							\$8,150.75		\$29,480.50				
							(includes actual and estimated values, and will deduct for Bond Funds when Carry Over goes negative)						
						Actual Totals spend in year on Conservation "Hard" Practices	Actual Landowner share	Actual County Cost Share (5%)	Actual Bond Funds (50 or 70%)				
							\$4,526.25	\$1,449.25	\$10,769.50				

Nutrient Management - DATCP SEG funds				
Applicant	CCS #	\$60,000.00	<----- SEG Fund Grant Amt.	Reimburse. Stage
John Ristau - Red Barn Farm LLC	SEG-19-01	\$1,570.00		
David Ristau	SEG-19-02	\$800.00		
Mark Karow	SEG-19-03			
Mark Karow - Dean Karow	SEG-19-04			
David Messerschmidt	SEG-19-05	\$7,670.00		
Wathke, Jason	SEG-19-06	\$960.00		
Wathke, Wyatt	SEG-19-07	\$1,400.00		
David & June Schmidt Trust	SEG-19-08			
Gregor, Peter & Sally	SEG-19-09			
	Total:	\$12,400.00		
	Grant Balance:	\$47,600.00		

Nutrient Management - NMFE funds		
Applicant	\$6,000.00	<----- NMFE Fund Grant Amt.
	Total:	\$0.00
	Grant Balance:	\$6,000.00

Paid
Voucher Submitted
Waiting for PO

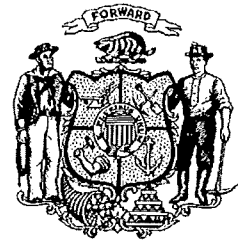


**Eau Claire County Planning and Development
LAND CONSERVATION DIVISION**

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 (590)

NAME: Travis Mayer TOTAL COST: \$ 4,200
 TELEPHONE: 715-559-0881 ACRES: 105 FUNDING SOURCE: \$ _____ NMFE
 \$ 4,200 SEG
 FARM LOCATION (TOWN/RANGE/SECTION & TOWNSHIP): \$ _____ COUNTY
S19 T26N R07W Town of Lincoln

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 Practice 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 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
 COST SHARE APPLICATION – NUTRIENT MANAGEMENT PLANNING**

I request cost sharing for 105 acres, and agree to the conditions listed on page 1 of this agreement:

Signature [Handwritten Signature] Date 10-1-19

Address E 8650 730th Ave Colfax WI 54730
 Mailing Address City State Zip

THE NUTRIENT MANAGEMENT PLANNER FOR MY FARM IS:

Name - self - 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 Planning and Development

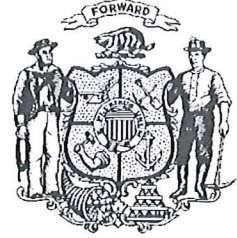
LAND CONSERVATION DIVISION

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Eau Claire, Wisconsin 54703-5212

Phone: (715) 839-6226 • Fax: (715) 831-5802



COST SHARE AGREEMENT

PRACTICE: NUTRIENT MANAGEMENT PLANNING (590)

NAME: David Schmitt

TOTAL COST: \$ 304.00 / 2298.00

TELEPHONE: 715-597-2258

ACRES: 76

FUNDING SOURCE: \$ 304.00 NMFE / 2298.00 SEG

FARM LOCATION (TOWN/RANGE/SECTION & TOWNSHIP):

S30431 T25N R7W Town of Otter Creek

COUNTY

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 Practice 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 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
 COST SHARE APPLICATION – NUTRIENT MANAGEMENT PLANNING**

I request cost sharing for 70 acres, and agree to the conditions listed on page 1 of this agreement:

Signature Dana Schmidt Date 10-15-19

Address E 12635 Lark Rd. Osseo WI 54758
 Mailing Address City State Zip

THE NUTRIENT MANAGEMENT PLANNER FOR MY FARM IS:

Name - self - Address _____
 Phone _____

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

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 (590)

NAME: Peter & Sally Greger TOTAL COST: \$ 2,100
TELEPHONE: 715-286-2004 ACRES: 175 FUNDING SOURCE: \$ _____ NMFE
\$ 2,100 SEG
FARM LOCATION (TOWN/RANGE/SECTION & TOWNSHIP): \$ _____ COUNTY
S11,12,13 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 Practice 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 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
COST SHARE APPLICATION – NUTRIENT MANAGEMENT PLANNING**

I request cost sharing for 175 acres, and agree to the conditions listed on page 1 of this agreement:

Signature [Signature] Date 9-16-19

Address 512020 County Rd. R Augusta WI 54722
Mailing Address City State Zip

THE NUTRIENT MANAGEMENT PLANNER FOR MY FARM IS:

Name -self- Address _____

Phone _____

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

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 _____

National Association of Conservation Districts

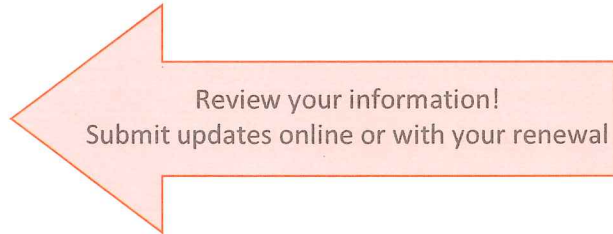
CONSERVATION INVESTMENT

Customer #: 39060

Eau Claire County Land Conservtion Department
 721 Oxford Ave Ste 3344
 Eau Claire, WI 54703-6386

Investment Date: October 1, 2019

Phone:
 Email: lcd@co.eau-claire.wi.us
 URL:
 Facebook:
 Twitter
 Other:



PLEASE RENEW YOUR MEMBERSHIP NOW!

This is the first invoice for NACD's 2020 fiscal year which runs October 1, 2019 to September 30, 2020. We hope you continue to show your support for your National Association with a membership contribution. Complete the application form and send with payment to NACD headquarters.


 Ian Cunningham
 NACD Secretary/Treasurer

Conservation Investment FY20 (check one)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Platinum (\$3,001 +)	Diamond (\$1,776 - \$3,000)	Gold (\$775 - \$1,775)	Silver (\$501 - \$774)	Bronze (\$101 - \$500)	Contributor (\$1 - \$100)

Payment

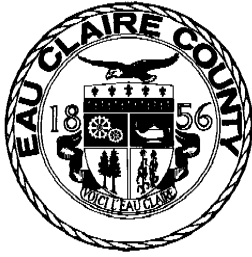
<input type="checkbox"/> Final Payment	<input type="checkbox"/> Check # _____
<input type="checkbox"/> Installment _____ of _____	<input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> Discover
Amount Paid: _____	Card No. _____ Exp. Date _____
Name on Card _____ Signature _____	

STAY IN TOUCH!

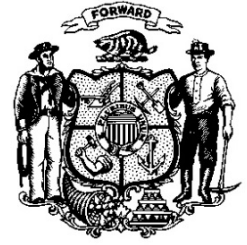
Please provide contact information for individuals you wish to grant access to the members only page.

Name	Title	Email

Mail check and form to:
 NACD | 509 Capitol Court NE | Washington, DC 20002
 Fax: 202-547-6450 | Email: membership@nacdn.org



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Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
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Phone: (715) 839-6226 • Fax: (715) 831-5802



DATE: October 1, 2019

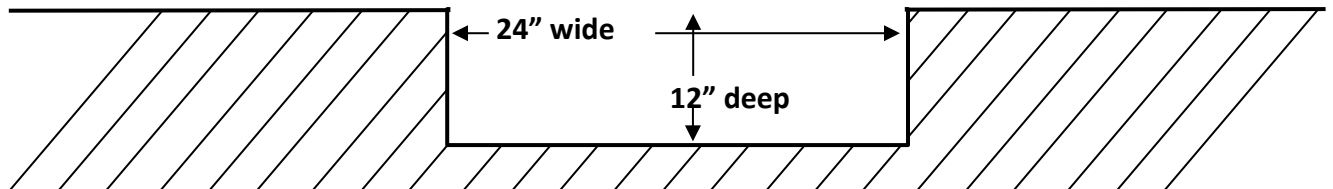
RE: Eau Claire County Land Conservation Division's determination on "gutters"

Eau Claire County Chapter 17.04 Agricultural Performance Standards and Manure Storage does not regulate the use of gutters. A gutter is an open, concrete trough within an animal housing facility that is used to transfer wastes to a manure spreader, reception structure, or a waste storage facility. Gutters are wider than they are deep and do not exceed a cross sectional area of 2 square feet (288 square inches).

The following are maximum dimensions that meet this definition of a gutter:

48" wide X 6" deep
36" wide X 8" deep
28" wide X 10" deep
24" wide X 12" deep
20" wide X 14" deep
18" wide X 16" deep

Example



From: [Greg Leonard](#)
To: [Sen. Bernier@legis.wisconsin.gov](mailto:Sen.Bernier@legis.wisconsin.gov)
Cc: [Richter, Denise](#); [Amanda Peters](#); [Trumble, Lisa K - DATCP](#)
Bcc: [Rod Eslinger](#)
Subject: Amish gutters
Date: Thursday, October 3, 2019 11:00:00 AM
Attachments: [Gutters.pdf](#)
[Definition Transfer vs. Storage.pdf](#)

Good morning Senator Bernier,

Once again, I would like to thank you for taking time to meet Amanda Peters and me at the Altoona Family Restaurant to discuss manure storage, gutters, and related topics in Eau Claire County and the Amish community.

Attached you will find a summary of the definition of a gutter as we discussed. This definition fits well for older existing dairy barns in that those gutters are typically smaller than the definition and therefore would be exempt from our Manure Storage Ordinance. This definition would apply to all livestock facilities regardless of size. A gutter's purpose is to collect and transfer manure, not to store manure.

Again, part of the reasoning behind not allowing deeper gutters relates to the protection of each farm's well and the groundwater. Once excavated beyond 12 inches in Eau Claire County, a channel has gone beyond the topsoil. This topsoil is where the majority of the biological activity occurs that helps filter possible contaminants. We do not want these gutters to contribute to possible local well and groundwater contamination.

Yesterday morning, Oct. 2nd, Amanda Peters and I met with Rudy Gingerich and 6 other members of the Amish community at Mr. Gingerich's house. Also present were 2 gentlemen from the Iowa hog firm who are working with some of the Amish, and one former local town supervisor. We reviewed and had a lengthy discussion surrounding the attached Gutters document and manure storage.

Moving forward, I explained how you mentioned to us that you would be reaching out to their community soon to discuss these topics. We ended our meeting without any resolution, but with the understanding that the Amish would be awaiting your contacting them before we resume our discussions.

The reason we did not come to a conclusion is that the Amish felt that deeper channels were desirable to store additional manure. We explained if this was desirable, these deeper channels (2 to 3 feet deep) we could consider these Waste Transfer systems, which are required to obtain a permit in Eau Claire County, but the design standards could be considered more lenient. This would provide cost savings during construction. These would still need to be properly designed by an engineer, and our office will be reaching out to our DATCP engineering staff to see if they will be able to provide design assistance.

Another question that was brought up was if the existing deep channels could be grandfathered in as our ordinance was updated in June 2019. We explained that our manure storage ordinance was in place since the early 1990's (actually 1990). These channels would have been treated equally with the previous version of our ordinance or the updated version. These existing channels can not be grandfathered. We did offer that these channels can be modified to fit the definition of a gutter, without a permit and without any retribution from our office, if completed in a timely manner. This could involve simply cleaning the channel, adding sand to the appropriate level, then placing concrete which would be very cost effective.

I have also attached another document which contains portions of the definitions contained within the USDA-NRCS standards which we follow for Storage and Transfer systems. This document was not shared yesterday, but is part of our internal process.

When we parted yesterday, we did offer that if members of the Amish community were going to meet with you on

this topic, Amanda and I would be willing to meet jointly. They thanked us for that offer and would consider it.

I felt that I would share with you portions of our discussions. I have copied Lisa Trumble with DATCP. If you have any questions, please feel free to contact me at any time.

Thank you once again, and have a great day, Greg



Greg Leonard

Land Conservation Manager

Eau Claire County Land Conservation Division

Planning & Development Department | 721 Oxford Ave., Suite 3344 | Eau Claire, WI 54703

Phone: (715) 839-4784 | Fax: (715) 831-5802

Email: Greg.Leonard@co.eau-claire.wi.us

Web: Eau Claire County Land Conservation Facebook: Eau Claire County Land Conservation

From: Richter, Denise <Denise.Richter@legis.wisconsin.gov>

Sent: Tuesday, September 17, 2019 2:41 PM

To: Greg Leonard <Greg.Leonard@co.eau-claire.wi.us>

Subject: RE: Information

WARNING!! This email originated outside Eau Claire County. Do not click any links or attachments unless you know the sender.

Greg,

Thank you for sending me your information.

We truly hope we can continue to work with the Amish community in a positive manner.

Denise Richter

Legislative Aide

Office of State Senator Kathy Bernier

23 Senate District

Denise.Richter@Legis.Wisconsin.gov

608-266-7511

From: Greg Leonard <Greg.Leonard@co.eau-claire.wi.us>

Sent: Tuesday, September 17, 2019 2:35 PM

To: Richter, Denise <Denise.Richter@legis.wisconsin.gov>

Cc: Amanda Peters <amanda.peters@co.eau-claire.wi.us>

Subject: RE: Information

Good afternoon Denise,

Thank you for reaching out this morning. I look forward to our 1:00 meeting at the Altoona Family Restaurant. Amanda Peters of our office will also be attending as she administers the Manure Storage ordinance. I have copied her also.

My contact information is below. I do not have a work cell, but if I am out of the office you can reach me on my personal cell which is (***) ***-****. Please do not share my cell number.

Thanks again and have a great day, Greg



Greg Leonard

Land Conservation Manager

Eau Claire County Land Conservation Division

Planning & Development Department | 721 Oxford Ave., Suite 3344 | Eau Claire, WI 54703

Phone: (715) 839-4784 | Fax: (715) 831-5802

Email: Greg.Leonard@co.eau-claire.wi.us

Web: Eau.Claire.County.Land.Conservation Facebook: [Eau.Claire.County.Land.Conservation](https://www.facebook.com/Eau.Claire.County.Land.Conservation)

From: Richter, Denise <Denise.Richter@legis.wisconsin.gov>

Sent: Tuesday, September 17, 2019 9:48 AM

To: Greg Leonard <Greg.Leonard@co.eau-claire.wi.us>

Subject: Information

WARNING!! This email originated outside Eau Claire County. Do not click any links or attachments unless you know the sender.

Greg,

Thank you for scheduling a time to meet with Kathy. Do you have a direct phone number we can have?

Denise Richter

Legislative Aide

Office of State Senator Kathy Bernier

23 Senate District

Denise.Richter@Legis.Wisconsin.gov

608-266-7511

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Eau Claire Land Conservation Division

Select definitions from standards to help determine if a structure is “Waste Storage”, “Waste Transfer”, or a “Gutter”.

313 Waste storage facility (October 2017)

Definition

An agricultural waste storage **impoundment** or containment made by constructing an embankment, excavating a pit or dugout, or by fabricating a **structure**.

Purpose

To store manure, agricultural by-products, wastewater, manure processing derivatives, leachate, and contaminated runoff to provide the agricultural operation management flexibility for waste utilization

Conditions where practice applies

This practice does not apply to the storage of human waste, routine animal mortality, the unstacked waste that accumulates in animal housing units (barns) or animal production areas not intended to store waste (animal confinement/feed areas).

Definitions

Impoundment – A waste storage facility constructed of an earthen embankment(s) (which is lined) and/or excavations for the purpose of storing waste. The impoundment, below the existing ground, may be lined or unlined if meeting CPS 313, Table 1 Soils (In Place).

Structure – A waste storage facility consisting of constructed surfaces, tanks, or walls for the purpose of storing waste above or below the ground surface. Structures may be constructed of concrete, steel, wood or other construction materials.

634 Waste Transfer (1/14)

Definition

A system using structures, conduits or equipment to convey byproducts (wastes) from agricultural operations to points of usage.

Purposes

To transfer waste (manure, manure processing derivatives, contaminated runoff, and wastewater, which includes milking center waste, leachate from feed holding areas, and similar waste materials) in a manner which safeguards the environment. It includes transfer through a **hopper**, reception structure, a pump, **channel**, or permanently installed conduit to:

- A waste storage facility,
- A waste treatment facility,
- A wastewater treatment system,
- A loading area
- Cropland

Conditions where practice applies

The waste transfer component is part of a planned agricultural waste management or comprehensive nutrient management system.

This practice standard applies where manure and other waste is generated by livestock production or processing, and a permanently installed conveyance system is necessary to transfer material from the source to a storage facility, treatment facility or system, loading area, or cropland. This includes moving nutrients from one geographical area with excess nutrients to a geographical area that can utilize the nutrients in an acceptable manner.

This practice standard does not apply to conveyance systems using equipment or mechanisms such as **gutters**, barn cleaners, alley scrapers, or belts for moving manure in the housing facility to the manure transfer system.

This practice standard does not apply to transfer by vehicles or temporary surface pipe or hoses from the storage facility, treatment facility or system, or loading area to the field or another storage facility.

Definitions

Animal Production Area (V.A.2.b) – Means any part of the livestock operation that is used for the feeding and housing of livestock. This includes the entire animal confinement and feeding area, and any adjacent manure storage areas, raw materials storage areas, and waste containment areas. This does not include pasture and cropland.

Channel (II) – A narrow structure, 4 feet or less in width, into which wastes are scraped or flushed for immediate transfer to **reception structures**, **hoppers** or waste storage facilities. They include field-fabricated or cast-in-place drop inlet structures incorporated into gravity transfer pipe. They also include existing gutters modified from how they were originally operated and constructed. Channels may include internal mechanical or hydraulic transfer mechanisms.

Gutters (III) – Existing open troughs within housing facilities that are used to transfer wastes to a reception structure or waste storage facility. Existing gutters modified from how they were originally operated and constructed are considered to be **channels**.

Hopper (II) – Structure meant solely to feed wastes into a transfer pump. Hoppers larger than 6,000-gallon capacity are defined as reception structures.

Reception Structure (II) – A collection vessel that will hold waste and facilitate its transfer.



Determinations

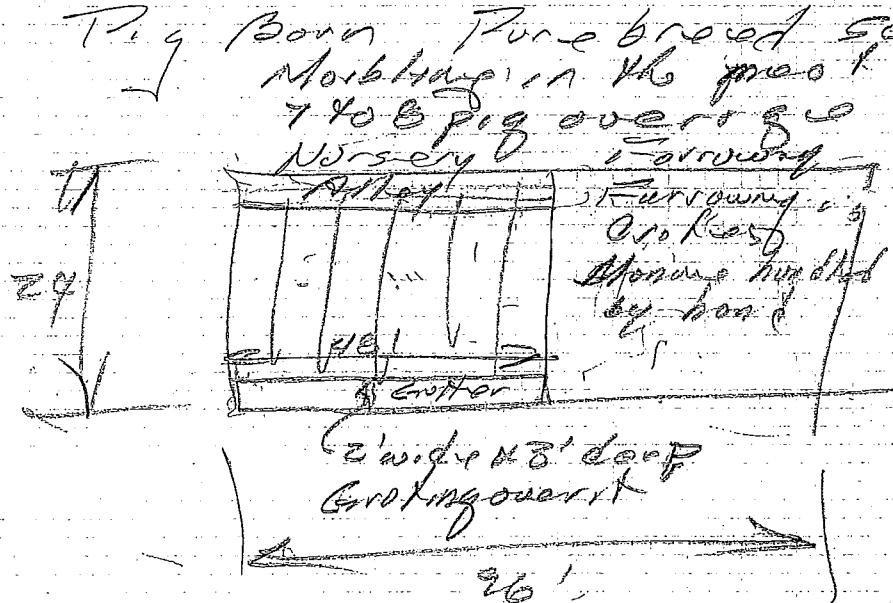
- The structures Tiry described do not fit the definition of a gutter. They are not “open troughs” because they have grates over the top.
- These structures also do not meet the definition of a channel. The waste is not immediately transferred out of them to a more permanent storage area.
- These structures *may* fall under the definition of a “hopper”. A mobile pump is used to empty the structure. The structures Tiry described are under 6,000 gallons. If they are considered a hopper, they are regulated under 634 Waste Transfer, and therefore require a permit under 17.04.



COMPUTATION SHEET

CLIENT: Rudy Geringer PROJECT NO: _____
 PROJECT: 513365 Road M COMPUTED: M. J. T. by BY: 5-2-19
 SUBJECT: Augusta at 54722 CHECKED: _____ BY: _____
 OTHER: _____ SHEET: _____ OF: _____

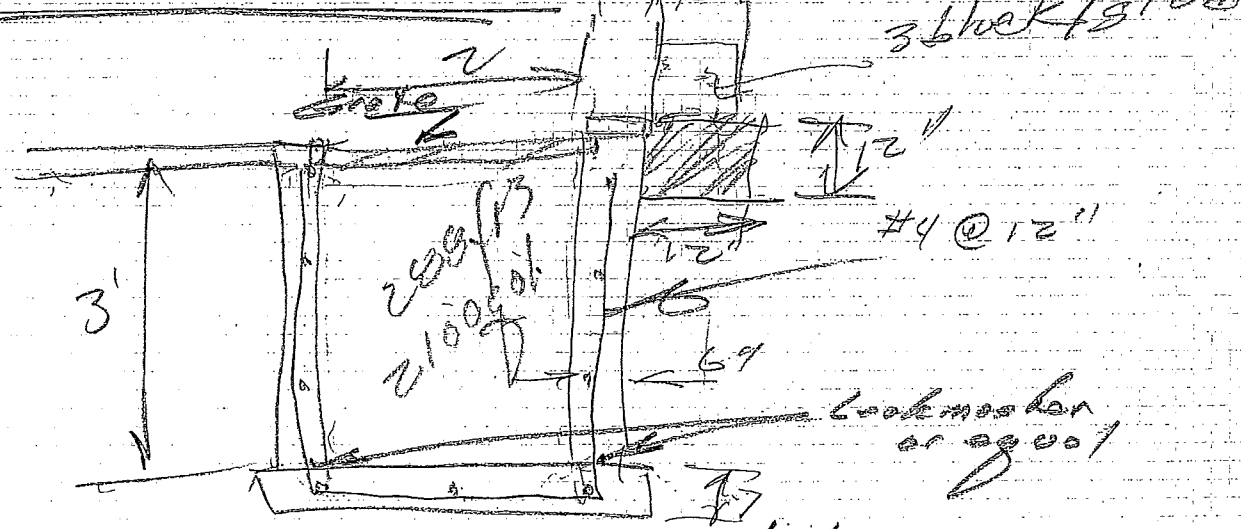
Barns in Opere for 12 years or more
 At least 32 barns but not all have gutters



2.5 1.1 ft or 140
 200 pig/unit yr
 22,000/yr

Heat led in the winter
 20 rows to 60506 Area 40
 Farrow to 60 #

Kehrli Swine in 1 row



Mike T. J.'s recommendation