

AGENDA

Eau Claire County

- Groundwater Advisory Committee •

Date: Wednesday, June 16, 2021 **Time:** 4:00 P.M.

Location: **via remote access **ONLY**.*

**Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.*

Join WebEx Meeting: <https://eauclairecounty.webex.com>,

Meeting ID: 1458 07 2855, Password: UpT2ts9pXm3

**Meeting audio can be listened to using this Audio conference dial in information.*

Audio conference: 1-415-655-0001, Access Code: 1458 07 2855

For those wishing to make public comment, you must e-mail Greg Leonard at Greg.Leonard@co.eau-claire.wi.us at least 30 minutes prior to the start of the meeting. You will be called on during the public session to make your comments.

AGENDA

1. Call to order by Chair
2. Roll call of members present
3. Confirmation of Compliance with Open Meeting Law
4. Public Comment Period
5. Notice of Appointment of Board of Health member: Mark Kaeding
6. Review/approval of May 12, 2021 meeting minutes – Discussion/Action **Pages 2-3**
7. David Bontrager request for consideration of land use within the City of Augusta wellhead protection district as allowed in Chapter 18.55.070.A Discussion/Action **Pages 4-13**
8. Rain to Rivers and Salt Wise programs updates – Discussion **Page 14**
 - a. [Wisconsin Salt Wise \(wisaltwise.com\)](http://wisaltwise.com)
 - b. [Rain to Rivers of Western Wisconsin \(raintorivers.org\)](http://raintorivers.org)
9. Members, Staff and Agency Updates-Discussion/Action
 - a. Committee Members
 - b. Regional Planning Commission
 - c. Planning and Development
 - d. Land Conservation
 - e. Health Department
10. Set next meeting date
11. Adjourn

**COUNTY OF EAU CLAIRE
EAU CLAIRE, WISCONSIN
GROUNDWATER ADVISORY COMMITTEE**

MEETING MINUTES – May 12, 2021, 4:00 pm, Remote meeting via WebEx

MEMBERS PRESENT: James Dunning, Nancy Coffey, Anna Mares, Mary Kenosian, Sarah Vitale, Sham Anderson, Nathan Anderson, Glory Adams

MEMBERS ABSENT: (Mark Kaeding; awaiting confirmation to fill vacant Board of Health appointed position)

STAFF PRESENT: Greg Leonard and Liz Fagen (Eau Claire County Land Conservation); Matt Steinbach (Eau Claire City/County Health Department)

OTHERS PRESENT: David Bontrager, and Cynthia Anderegg (City of Augusta Clerk)

1. Call to order by Chair

The meeting was called to order by Chair Dunning at 4:05 pm.

2. Roll call of members present

A roll call was taken. Present included Dunning, Coffey, Mares, Kenosian, Vitale, S. Anderson, N. Anderson and Adams. Absent was Kaeding, who is yet to be confirmed. A quorum was present.

3. Confirmation of Compliance with Open Meeting Law

Dunning confirmed compliance with the open meetings law.

4. Public Comment Period

None.

5. Notice of Appointment of Citizen at Large to Committee for 3-year terms

Mary Kenosian was appointed to a 3-year term to succeed herself.

6. Notice of Recommendation of Board of Health member

Mark Kaeding was recommended from the Board of Health as an appointment. The formal appointment is expected from the County Board at a later date.

7. Review/approval of May 13, 2020 and July 8, 2020 meeting minutes – Discussion/Action

ACTION: Motion by Coffey/S. Anderson to approve the minutes of the May 13, 2020 and July 8, 2020 meetings as presented. Motion carried on a voice vote with none in opposition, 8-0-0.

8. David Bontrager request for consideration of land use within the City of Augusta wellhead protection district as allowed in Chapter 18.55.070.A Discussion/Action

Leonard provided a quick review of the Wellhead Protection Zones contained within the County Code. These areas protect municipal wells which may or may not be within the respective city or village. The code includes prohibited land uses within these zones.

David Bontrager explained he had purchased his ag land but was not aware this farm was within the wellhead protection district. He explained he would like to have raise 200-240 calves from newly born to about 2-months of age. The calves would be within the barn. Manure would be spread on the property or given to another farm, and would be in-field stacked if not spread immediately. Leonard replied he would like to see the formal plans

submitted in writing. Steinbach questioned if any previous requests such as this have ever been granted. Leonard replied no such request had been received in the past.

ACTION: Motion by Coffey/Vitale to request a formal plan submission from Mr. Bontrager, request staff recommendations from both Public Health and Land Conservation, and to share this information with the City of Augusta for their comment prior to bringing this back before the committee. Motion carried on a voice vote with none in opposition, 8-0-0.

9. Update on Aquifer Mapping

Vitale has had 2 students working with the Health Department and the GIS division within Planning & Development on the initial stages of the project. This is ensuring that wells are properly located and well construction reports are tied to the data for elevations. There is support for student salary to continue the work for the next year through the university.

10. Groundwater Advisory Goals – Discussion/Action

- a. **Capital Improvement Project funding** – Requests were due to the County’s Finance office yesterday. A request for funding for groundwater mapping was made for 2023
- b. **PFAS and Forever Chemicals** – Kenosian led discussion on concerns near La Crosse on French Island over PFAS. Steinbach reported in Eau Claire the municipal wells have tested below the detection limits for these chemicals, and reminded everyone there are no standards established yet.

11. Members, Staff and Agency Updates-Discussion/Action

- a. **Committee Members** – Dunning reported he received landfill information but has not yet reviewed it.
- b. **Regional Planning Commission** – no report.
- c. **Planning and Development**– no report.
- d. **Land Conservation**– some of the Water Quality Task Force items were included in the Governor’s budget proposal. The no-till drill (planter) is a huge success.
- e. **Health Department** – with high numbers of new home construction is higher numbers of well and septic installations. The lab has seen some staff turnover with a recent retirement.

12. Set next Meeting Date

The next regular meeting date was set for June 16, 2021 at 4:00 p.m.

13. Adjourn

Dunning adjourned the meeting at 5:17 p.m.

Respectfully Submitted,



Greg Leonard
Land Conservation Manager

E21065 Karow Rd
Augusta WI 54722

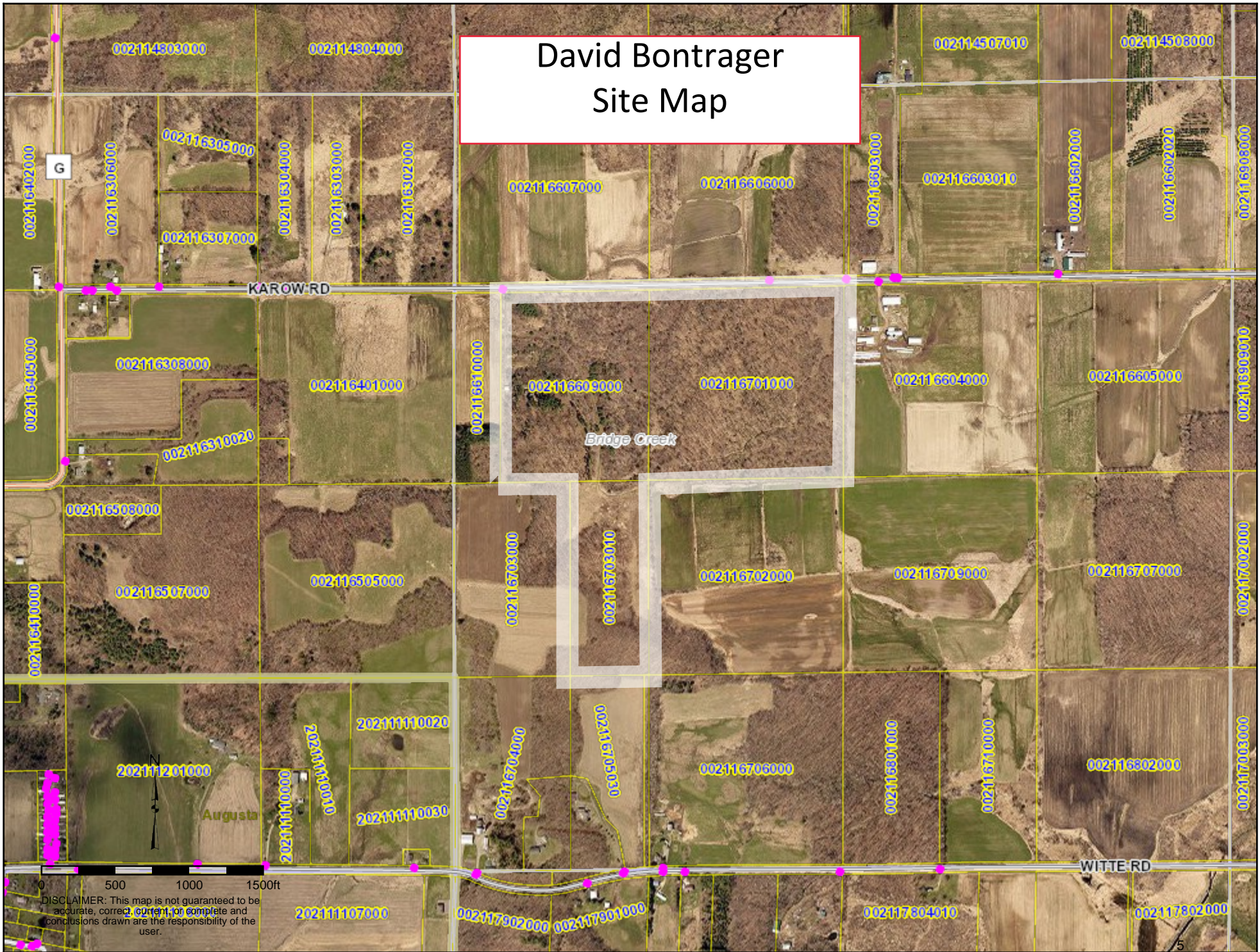
Dear Sir:

6-8-21

I would like to have more time to get some information together and to get the city of Augusta's opinion on this matter of the proposed calf nursery that would be in the wellhead protection dist.

PS. Greg, Oct. 22nd, 2020
is the date that I called Planning and Development
Office. Please share this with Jared. Thank You
David

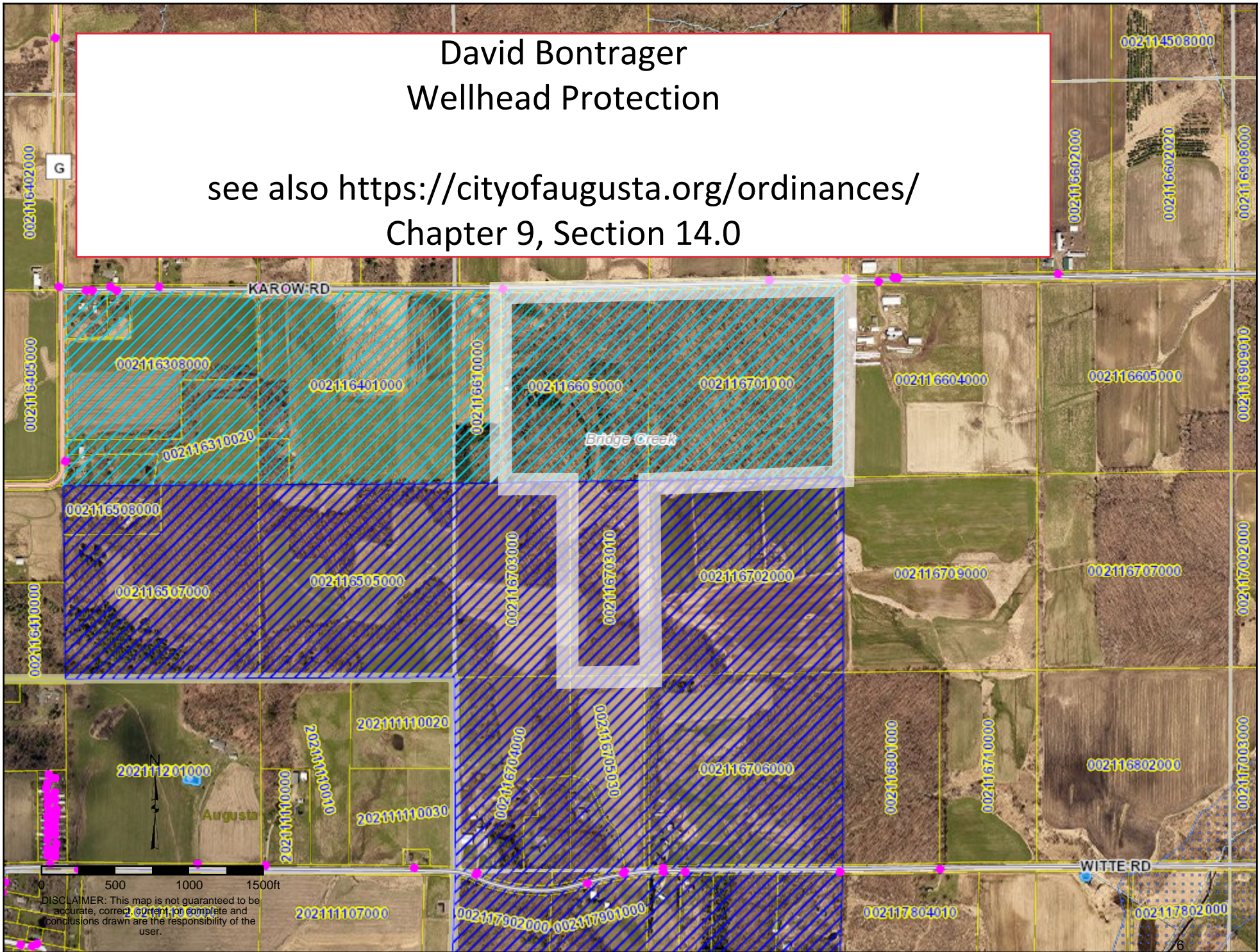
David Bontrager Site Map



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

David Bontrager Wellhead Protection

see also [https://cityofaugusta.org/ordinances/Chapter 9, Section 14.0](https://cityofaugusta.org/ordinances/Chapter%209,%20Section%2014.0)



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

P. "Water table" means the surface in geological material at which the pore water pressure is atmospheric.

Q. "Well field" means a piece of land used primarily for the purpose of locating wells to supply a municipal water system.

R. "Zone of saturation" means geologic material that is saturated with water and constitutes groundwater. (Ord. 145-96, Sec. 4, 2002; Ord. 145-66, 2001).

18.55.040 Groundwater Protection Overlay District. A groundwater protection overlay district shall only be created at the request of a municipality to institute land use regulations and restrictions within a defined area, which contributes water directly to a municipal water supply and promotes public health, safety, and welfare. The district is intended to protect the groundwater recharge area for the existing and future municipal water supply from contamination.

A. The Boundaries of the groundwater protection overlay district shall be shown on the map "Groundwater Protection Districts for Public Water Supply Recharge Areas in Eau Claire County." This map will be an overlay of the "Official Zoning Maps of Eau Claire County, Wisconsin" as maintained by the department.

B. Whenever a municipality establishes the location of a new well or modifies an existing well resulting in a change to the public water supply recharge area for the municipality which extends into the unincorporated areas of the county, the municipality shall notify the department and submit a written request to the department to adopt a groundwater protection overlay district which shall include:

1. A 1-inch equals 2,000 feet (1:24,000) or larger scale map shall be used for municipal boundaries of the proposed wellhead protection zones, which conform to the provisions in this Chapter.

2. A report describing the background information, research, and methodology used to develop the wellhead protection zones.

3. A wellhead protection plan for the well or wells within the proposed district.

4. An existing wellhead protection ordinance for the well or wells within the proposed wellhead protection district, effective within the incorporated areas of the municipality.

5. A list of tax parcels, any part of which falls within the proposed wellhead protection district.

6. An inventory of all existing facilities which may cause or threaten to cause groundwater contamination within the proposed wellhead protection district. The inventory shall include:

a. The county tax parcel number of each facility and the name and telephone number of a facility contact.

b. A list of the uses, activities, materials, structures, and facility type which may cause or threaten to cause groundwater contamination for each existing facility.

C. The county board shall create a groundwater protection overlay district, with the map "Groundwater Protection Districts for Public Water Supply Recharge Areas in Eau Claire County" after receipt of recommendations made by the groundwater advisory committee and the committee on planning and development. (Ord. 145-96, Sec. 4, 2002; Ord. 145-66, 2001).

18.55.050 Zones. The groundwater protection overlay district is divided into three zones. All zone boundaries shall be normalized to road centerlines, railways, surface water features, and the public land survey lines of 1/2, 1/4, 1/8, 1/16 section lines. Each zone is described below as follows with permitted and prohibited uses:

A. Zone 1. Zone 1 is the area of land, which contributes the water to a municipal well in question to the 30-day time of travel.

1. Permitted Uses:

a. Public and private parks, playgrounds and beaches, provided there are no on-site wastewater disposal systems or holding tanks and follows an approved Nutrient Management Plan.

b. Wildlife and natural and woodland areas.

c. Biking, Hiking, Skiing, nature, equestrian, and fitness trails.

d. Residential areas which are municipally sewered.

e. Routine tillage, planting, and field management operations in support of agricultural crop production where nutrients from legume, manure, and commercial sources are accounted for and credited toward crop nutrient needs. The combination of all nitrate sources applied or available on individual fields may not exceed University of Wisconsin Soil Test Recommendations for that field.

2. Prohibited Uses:

a. Above and below ground hydrocarbon, petroleum, or hazardous chemical storage tanks.

b. Cemeteries.

c. Chemical manufacturers (Standard Industrial Classification Major Group 28).

d. Storage of extremely hazardous substance, radioactive materials or substances listed in Table 1, NR140 of the Wisconsin Administrative Code. (Extremely hazardous Substances are identified by SARA/EPCRA criteria under 40 CFR Parts 302 and 355.

e. Coal storage.

f. Dry cleaners.

g. Industrial lagoons and pits.

g. Landfills and other solid waste facilities.

i. Manure and animal waste storage facilities.

j. Non-metallic earthen materials extraction sites.

k. Pesticide and fertilizer dealer, transfer or storage.

l. Railroad yards and maintenance stations.

m. Rendering plants and slaughterhouses.

n. Salt or deicing material storage.

o. Salvage yards and junkyards.

p. Septage or sludge spreading, storage, or treatment.

q. Septage, wastewater, or sewage lagoons.

r. Private on-site wastewater treatment systems or holding tanks unless replacing an existing private on-site wastewater treatment system.

s. Stockyards and feedlots.

t. Stormwater infiltration basins without pre-treatment, which is defined to include vegetative filtration and/or temporary detention basins.

u. Motor vehicle services, including filling and service stations, repair, renovation, and body work.

v. Wood preserving operations.

A. Zone 2. Zone 2 encompasses the area of land which contributes water to the well starting at the line which delineates the 30-day time of travel and ends at the line delineating the 5-year time of travel to a municipal well.

1. Permitted Uses. The following uses are permitted in Zone 2:
 - a. All uses that are permitted in Zone 1.
 - b. Single family residences on a minimum lot of 1 acre with a private on-site sewage system.
 - c. Commercial establishments which are served by municipal sewer and water.
 - d. Industrial establishments which are served by municipal sewer and water and without outside storage.
 - e. Residential use of above and below ground LP gas tanks for heating not to exceed 1000 gallons.

2. Prohibited uses. All uses that are prohibited in Zone 1 are also prohibited in Zone 2.

C. Zone 3. Zone 3 encompasses the area of land which contributes water to a municipal well at the line which delineates the 5-year time of travel and ends at the line delineating the 10-year time of travel to a municipal well.

1. Permitted Uses. The following uses are permitted in Zone 3:
 - a. All uses permitted in Zones 1 and 2.
 - b. Salt storage, including sand salt combinations.
 - c. Above ground petroleum product storage tanks with leak detection.
2. Prohibited Uses. All uses listed as prohibited uses in Zones 1 and 2 except of the uses listed in b. and c. above. (Ord. 145-96, Sec. 4, 2002; Ord. 145-66, 2001).

18.55.060 Requirements for existing uses.

A. Existing uses which are listed as prohibited in a zone but exist on the effective date of this ordinance are grandfathered in and will be allowed to upgrade to facilitate or enhance groundwater protection. The department must approve the proposed upgrade plans and all required permits shall be issued before work is initiated. Expansion of a prohibited use is not allowed.

B. Owners and/or operators of existing nonconforming uses which exist within a zone at the time of enactment of this Chapter shall provide copies of all current, revised, or new federal, state, and local facility operation approvals, permits, or certificates, operational safety plans, and on-going environmental monitoring results, to the county and the municipality with wells in the wellhead protection district.

C. Owners and/or operators of existing nonconforming uses which exist within a zone at the time of enactment of this Chapter shall have the responsibility of devising, filing, and maintaining with the county a current contingency plan which details how they intend to respond to any emergency which may cause or threaten to cause groundwater contamination that occurs at their facility, including notifying municipal, county, and state officials. (Ord. 145-96, Sec. 4, 2002; Ord. 145-66, 2001).

18.55.070 Changing technology and uses not listed.

A. The uses prohibited by this Chapter are prohibited based upon the combined pollution experience of many individual uses, and the technology generally employed by a particular use considered to be of a high risk for pollution to the groundwater resource. As the technology of other uses change to low or non-risk materials or methods and by petition from the user of that technology, the committee on planning and development with recommendations from the groundwater advisory committee shall recommend removal of the use as a prohibited use and establish any performance standards that are deemed necessary.

B. Any use not listed specifically as permitted in this Chapter is considered a prohibited use. Upon its own initiative or upon a request from a specific property owner, the committee on planning and development with recommendations from the groundwater advisory committee may recommend adding a use as a permitted or prohibited use to this Chapter and establish any performance standards that are deemed necessary. (Ord. 145-96, Sec. 4, 2002; Ord. 145-66, 2001).

18.55.080 Administration.

A. The county hereby designates the department to administer and enforce this Chapter. The department may seek the technical advice of the groundwater advisory committee in the administration and enforcement of this Chapter.

B. The department shall have the following duties in administering and enforcing this Chapter as outlined in Chapter 18.31 as appropriate.

C. The department staff may enter the premises of a property under the terms of this Chapter in the performance of their duties or pursuant to a special inspection warrant issued under Wis. Stat. § 66.122, in order to inspect those premises and to ascertain compliance with this Chapter and permit or to investigate an alleged violation.

D. Enforcement Authority. The department may issue a compliance order, field directive, suspension order, or termination order to assure compliance with a permit or the provisions of this Chapter. Any permit revocation or stop work order shall remain in effect unless retracted by the department or by a court of general jurisdiction or until the activity is brought into compliance with this Chapter. The department is authorized to refer any violation of this subchapter or a stop work order to the corporation counsel's office for commencement of further legal action. (Ord. 145-96, Sec. 4, 2002; Ord. 145-66, 2001).

18.55.090 Penalties and Enforcement.

A. Penalties. Any person who violates, neglects or refuses to comply with or resists the enforcement of any of the provisions of this subchapter shall be subject to a forfeiture of not less than \$500 nor more than \$2500 per day plus cost of prosecution for each violation. Any violation includes failure to comply with any standard of this Chapter or with any condition or qualification attached to the permit. Each day that a violation exists shall be a separate offense.

B. Enforcement of injunction. As a substitute or in conjunction with a forfeiture action, the county may seek enforcement of any part of this Chapter by court actions, an injunction or restraining order, the cost of which shall be charged to the defendant in such action.

C. Cleanup costs. The county may commence legal action against both the person who releases the contaminants and the owner of the facility whereupon the contaminants were released to recover the costs, together with the costs of prosecution. Any person who causes the release of any contaminants, which may endanger or contaminate a municipal water supply system, shall immediately cease such discharge and immediately initiate clean up satisfactory to the county and other state or federal agencies. The person who releases such contaminants and the person who owns the facility whereon the contaminants have been released shall be jointly and severally responsible for the cost of cleanup, consultant, or other contractor fees, including all administrative costs for oversight, review, and documentation, including the county employees time, equipment, and mileage. (Ord. 145-96, Sec. 4, 2002; Ord. 145-66, 2001).

18.55.100 Appeals. At the written request of any aggrieved person or the department, the Eau Claire County Board of Land Use Appeals Board shall hold a public hearing and decide on the merits of the appeal.

A. Appeals shall follow the applicable sections of the code as found in 18.31.020.

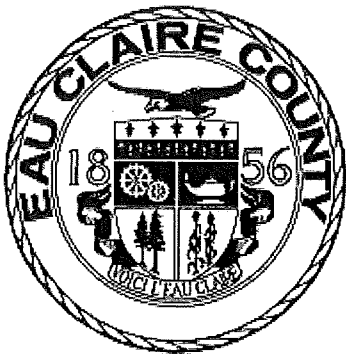
B. Appeals shall be filed with the board of land use appeals and the department within 30 days after the date of written notice of the decision or the order of the department.

C. All appeals shall be filed on applications provided by the department. (Ord. 145-96, Sec. 4, 2002; Ord. 145-66, 2001).

18.55.200 Groundwater Protection Overlay District - Village of Fall Creek. A groundwater protection overlay district is created for the Village of Fall Creek with the boundaries as shown on the map dated November 21, 2018, entitled Map of the Wellhead Protection Zones, Wells 1, 3, and 4, Village of Fall Creek, Wisconsin on file in the office of the department. (Ord. 163-29, Sec. 1, 2019; Ord. 156-27, Sec. 1, 2012; Ord. 155-34, Sec. 1, 2012)

18.55.300 Groundwater Protection Overlay District-Village of Fairchild. A groundwater protection overlay district is created for the Village of Fairchild with the boundaries as shown on the map dated September 25, 2012 entitled Map of the Groundwater Protection Districts for Public Water Supply Recharge Areas in Eau Claire County-Village of Fairchild on file in the office of the department. (Ord. 156-27, Sec. 2, 2012)

18.55.400 Groundwater Protection Overlay District- City of Augusta. A groundwater protection overlay district is created for the City of Augusta with the boundaries as shown on the map dated March 26, 2013 entitled Map of the Groundwater Protection Districts for Public Water Supply Recharge Areas in Eau Claire County-City of Augusta on file in the office of the department. (157-5, Sec. 1, 2013; Ord. 156-27, Sec. 3, 2012; Ord. 157-5, Sec. 1, 2013)



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT

Eau Claire County Courthouse, Rm. 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
715-839-4741

Housing & Community Development
715-839-6240
Emergency Services Management
715-839-4736
Land Information
715-839-4742
Land Use Controls
715-839-4743
Building Inspection
715-839-2944
Land Conservation
715-839-6226
Planning
715-839-5055

06/04/2021

David Bontrager
E 21065 Karow Rd
Augusta, WI 54722

Notice of Violation

Dear Sir/Madam:

On 4/14/2021 this office determined that there exists a violation of the Eau Claire County Zoning Code relating to your property located at E 21065 Karow Rd

The noted violations are:

Operation of a feedlot in the Wellhead Protection Overlay district, specifically in Zone 3. Feedlot is outlined as a prohibitive use and therefore not allowed.

By 07/05/2021 you must have the above described property in compliance with the code or face legal action commenced by the County Corporation Counsel's office as prescribed in the section(s) outlined below.

Compliance can be met by the following actions:

No longer operate a feedlot or work through the necessary steps to allow a feedlot to be operated. At this time, you have been working with the department on avenues to be in compliance through section 18.55.070 of the county code.

Please take the necessary corrective actions required. If you have questions concerning this letter, please contact me by calling 715-839-1660 or emailing ben.bublitz@co.eau-claire.wi.us

Violation No.	Computer No. / PIN No.	Section(s) of Code Violated
V-0030-21	002116609000 / 1800222606342300001	Zoning Code 18.55.050.A.2.s.

I suggest you call ahead to make an appointment if you desire to meet with me at my office.

Sincerely,

Jared Grande
Land Use Manager



Winter Maintenance Training for Reduced Environmental Impacts



October 7, 2019

9:00am - 2:00pm

Chippewa Valley Technical College

620 West Clairemont Avenue

Eau Claire, WI 54701

SPONSORED BY:



TOPICS COVERED

This 4 ½ hour training covers the costs/benefits of de-icing and anti-icing strategies, and the current recommendations for application rates.

Attendees will be given a copy of the "Minnesota Snow and Ice Control Field Handbook." Attendees will learn how to use salt and sand most effectively. Efficient use of these products will help decrease the negative effects of de-icing materials on the environment, without compromising safety or level of service. Various anti-icing and deicing chemicals will be discussed, along with their mode of action, application rates, costs, and storage issues. The target audience includes city, county and state plow drivers.

ABOUT THE TRAINERS

The class is presented by Fortin Consulting staff and maintenance professionals. After the conclusion of the class, an optional test is offered to earn the MPCA Level I Certification in Winter Maintenance. The certified individuals are then listed on the MPCA website.

WHO SHOULD ATTEND?

**Public and private winter
maintenance professionals**

Training is free (includes lunch)

**Participants must register for this
event by October 3**

**Please register at:
www.raintorivers.org**

**Questions
Contact Landon at:
715-836-2918 Ext. 12**