

Title 17

LAND CONSERVATION AND SURVEYING

Chapters:

<u>17.01</u>	<u>Land Conservation Program</u>
<u>17.02</u>	<u>Land Conservation Commission</u>
<u>17.03</u>	<u>Soil and Water Conservation Requirements for the Farmland Preservation Program</u>
<u>17.04</u>	<u>Agricultural Performance Standards and Manure Storage</u>
<u>17.05</u>	<u>Erosion Control</u>
<u>17.06</u>	<u>Storm Water Management</u>

Chapter 17.01

LAND CONSERVATION PROGRAM

Sections:

<u>17.01.001</u>	Authority.
<u>17.01.002</u>	Purpose.
<u>17.01.005</u>	Definitions.

17.01.001 Authority. This title is created pursuant to Wis. Stat. ch. 92. (Ord. 126-28 Sec.13(part), 1982).

17.01.002 Purpose.

A. The county board finds that the soil resources of the county are being depleted by wind and water erosion and that the waters of the county are being polluted by nonpoint sources of pollution thus endangering the health and welfare of the county's citizens, its recreational resources, agricultural productivity and industrial base.

B. The county board declares it to be the policy of the county to halt and reserve the depletion of the county's soil resources and pollution of its waters by enacting this title to implement the intent of the state legislature declared in Wis. Stat. § 92.02(3). (Ord. 126-28 Sec.13(part), 1982).

17.01.005 Definitions. In this title, unless otherwise indicated or by the context of its use:

- A. "Commission" means the land conservation commission.
- B. "Committee" means the committee on planning and development.
- C. "DATCP" means the State Department of Agriculture, Trade and Consumer Protection.
- D. "Department" means the department of planning and development. (Ord. 126-28 Sec.13(part), 1982).

## Chapter 17.02

### LAND CONSERVATION COMMISSION

Sections:

- 17.02.001 Creation.
- 17.02.004 Administration.
- 17.02.010 Membership.
- 17.02.020 Officers.
- 17.02.025 Designated advisers.
- 17.02.090 Lake protection and rehabilitation districts.
- 17.02.100 Eau Claire County Stewardship Program.

17.02.001 Creation. Pursuant to Wis. Stat. § 92.06(1), there is created a county land conservation commission which shall have such policy formulation and program responsibilities under Wis. Stat. ch. 92, as are authorized in this title. (Ord. 126-28 Sec.13(part), 1982).

17.02.004 Administration. The commission is attached to the department for administrative purposes under 2.44.020 B. (Ord. 126-28 Sec.13(part), 1982).

17.02.010 Membership.

A. The commission shall consist of 8 county citizen members interested and knowledgeable in the fields of soil and water conservation and natural resource management, and representing a broad cross-section of those interests. Recognizing that most of the soil and water resources of the county are in less densely populated areas, commission appointments shall afford balanced geographic representation of the county.

B. Members shall be appointed by the chair of the county board, subject to the confirmation of the board as follows:

- 1. 2 members of the extension education committee;
- 2. 3 members of the county board at large;

3. The chair of the county farm service agency committee created under 16 U.S.C. § 590h(b) or another member thereof designated by said chair ex-officio, for an indefinite term;

4. 2 county citizens not members of the county board, at least one of whom shall be actively engaged in farming.

C. All terms shall expire on the 3rd Tuesday of April in even-numbered years except for B.4. (Ord. 167-23, Sec. 4, 2024; Ord. 146-14, Sec. 9, 2002; Ord.141-11, Sec.1, 1997; Ord.140-33, 1996; Ord.138-06, 1994; Ord. 126-28 Sec.13(part), 1982).

17.02.020 Officers.

A. The commission shall elect a chair and vice-chair at the 1st commission meeting following the confirmation of annual appointments to the commission who shall serve a term of 1 year or until their successors are duly elected and qualified.

B. The chair shall perform duties required under Title 17; carry out all directives of the commission; report as directed to the committee or the county board; see that all commission accounts are duly audited and recommended for allowance or disallowance; and be responsible for assuring compliance with Wis. Stat. § 19.84, regarding public notice of meetings.

C. The vice-chair shall perform all the duties of the chair during his or her temporary absence.

D. The department shall assign a staff member to serve as commission clerk. The clerk shall attend all commission meetings, record and distribute the minutes of each meeting, and carry out all directives of the commission. (Ord. 126-28 Sec.13(part), 1982).

17.02.025 Designated advisers.

A. Pursuant to Wis. Stat. § 92.06(2.), the following persons or officers are designated as advisers to the commission:

1. The chair of the committees on parks and forest, planning & development, and the highway committee;

2. The county extension agriculture educator;

3. The highway commissioner;

4. The chair of any public inland lake protection and rehabilitation district established under Wis. Stat. § 33.24, by the county board;

5. The clerk of any municipality having established a public inland lake protection and rehabilitation district under Wis. Stat. § 33.23;

6. The district director of the State Department of Natural Resources;

7. The executive director of the Eau Claire County farm service agency office;

8. The area conservationist of the natural resources conservation service;

9. The coordinator of the river county resource conservation and development council.

B. Each designated adviser shall receive written notice of all meetings and public hearings of the commission, and shall be invited to comment on all proposed plans and programs drafted by the commission under Wis. Stat. § 92.10(5), and on all proposed ordinances under Wis. Stat. § 92.11.

C. It is the intent of the county board that the designated advisers not constitute a governmental body under Wis. Stat. § 19.82(1), but shall act to advise the commission in their individual capacities. (Ord. 161-18, Sec. 8, 2017; Ord. 154-2, Sec. 40, 2010; Ord.141-51, Sec.9; Ord.141-11, Sec.2, 1997; Ord.134-03 Sec.48, 1990; Ord.126-28 Sec.13(part), 1982).

17.02.090 Lake protection and rehabilitation districts.

A. The department and the commission shall act as the official county liaison with any public inland lake protection and rehabilitation districts established in the county under Wis. Stat. §§ 33.23 or 33.24.

B. The commission shall annually by resolution nominate to the county board a member of the commission or the board to serve on the district commission of any district established by the county board under Wis. Stat. § 33.24, for a term ending on the 3rd Tuesday of April, following appointment, or until a successor is duly appointed by the county board, and qualified.

C. Within the amounts appropriated by the county board, the county may provide funding on up to a 50-50 lake district or municipal levy match basis, excluding engineering costs and all other revenues except for those derived from the sale of dredge spoils, for lake protection and rehabilitation district, lake association and local unit of government projects. (Ord. 145-45, 2001; Ord.139-79, 1995; Ord. 138-11, 1994; Ord. 126-28 Sec.13(part), 1982).

17.02.100 Eau Claire County Stewardship Program.

A. The Eau Claire County Stewardship Program “Stewardship Program” is created to assist landowners, local units of government, and nonprofit organizations located in Eau Claire County to meet land conservation resource management objectives in Eau Claire County. The commission will, in the name of the county, administer the Eau Claire County Stewardship Fund “Stewardship Fund”. Money in the Stewardship Fund may be used to:

1. Purchase land through fee title for future community needs.
2. Purchase conservation easements in order to achieve land use policy objectives, as specified in an approved town or county land use plan.
3. Purchase land or easements in support of local conservation activities, local fish and wildlife habitat rehabilitation.

B. The Stewardship Program will be administered to:

1. Encourage tax-exempt community contributions from corporate interests, local conservation organizations, community service organizations, estates and private individuals.
2. Acquire grants available from public agencies or private nonprofit foundations.
3. Distribute grants to local units of government, land trusts and nonprofit organizations which meet grant criteria established by the commission.