

CHIPPEWA COUNTY

LAND CONSERVATION & FOREST MANAGEMENT COMMITTEE

REGULAR MEETING

MAY 19, 2021

WEBEX CONFERENCE CALL

4:30 PM

DUE TO THE COVID-19 PANDEMIC, THIS MEETING IS BEING HELD VIA CONFERENCE CALL TO COMPLY WITH SOCIAL DISTANCING GUIDELINES. IF YOU ARE A MEMBER OF THE PUBLIC AND WISH TO SPEAK, PLEASE CALL THE DIAL IN NUMBER AND THE COMMITTEE CHAIR WILL ACKNOWLEDGE YOU AT THE APPROPRIATE TIME ON THE AGENDA.

IF YOU NEED TO EITHER MUTE OR UNMUTE YOURSELF DURING THE MEETING, PRESS *6.

MEETING PHONE NUMBER: 1-415-655-0001

MEETING NUMBER (ACCESS CODE): 1825 84 7369

MEETING PASSWORD: 65789272

1. CALL TO ORDER

2. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Dean Gullickson	Chippewa County	District 7 (Chair)	Present	
Harold Steele	Chippewa County	District 1 (Vice-Chair)	Present	
Glen Sikorski	Chippewa County	District 2	Present	
Ken Schmitt	Chippewa County	District 3	Present	
Don Hauser	Chippewa County	District 6	Present	
James Pingel	Chippewa County	Citizen Rep	Present	

Agency staff present or attending remotely at times throughout the meeting were R. Scholtz (Co. Admin.), T. Pauls (Corporation Counsel), D. Hutchison (DNR), K. Clow, M. Hansen, K. Klingberg, J. Larson, D. Masterpole, and J. Schemenauer - Recorder (LCFM).

Members of the public, as identified, attending remotely at times throughout the meeting were C. Kaiser, P. Popple, and D. Staber.

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

P. Popple addressed the Committee and provided written comments. She noted that the DNR is seeking public comment on proposed non-metallic mine reclamation plan guidance, with comments due 5/28/21.

D. Staber addressed the Committee. He thanked the Committee for putting the storm water program matter back on the agenda.

4. CONSENT AGENDA

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Glen Sikorski, District 2
SECONDER:	Harold Steele, District 1 (Vice-Chair)
AYES:	Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel

1. Approve the agenda
2. Approve the Minutes
3. Land Conservation & Forest Management Committee - Regular Meeting - Apr 21, 2021 4:30 PM
4. Schedule next meeting date - June 16, 2021

5. REPORTS

1. Overview of LCFM 2021 Annual Work Plan; Chippewa Falls Urban Area Storm Water Management Program - D. Masterpole & K. Clow
D. Masterpole presented an oral report. The report was supported by the following materials:

1. Spreadsheet work plan titled: 2021 Annual Work Plan; Chippewa Falls Urban Area Storm Water Management Program, (LCFM 4/5/21), (Distributed 5/13/21 - copy on file & attached).
2. Map titled: Chippewa County Stormwater Facilities and Outfalls Inspected in 2020, (LCFM 3/31/21), (Distributed 5/13/21 - copy on file & attached).
3. Document titled: Chippewa County 2020 Storm Water Program Management Narrative, (LCFM), (Distributed 5/13/21 - copy on file & attached).
4. Table titled: Summary of Core Responsibilities of Cooperating Municipalities and Agencies Under the Joint Permit and Associated Stormwater Management Program, (LCD 6/6/07), (Distributed 5/13/21 - copy on file & attached).

D. Masterpole provided a summary of the assumptions applied in conducting a fiscal analysis of the Chippewa Falls Urban Area Storm Water Program. These assumptions were made to provide best estimates of the County's current program costs and to estimate how much it may cost to meet the County's WPDES obligations, working independently from the municipalities.

There was general discussion. Discussion focused on:

1. The elements of the 2021 annual work plan for the Chippewa Falls Urban Area Storm Water Management Program and associated activities that are now scheduled.
 2. The public costs of administering the Chippewa Falls Urban Area Storm Water Management Program, (historic and anticipated), as incurred by the municipalities and County departments.
 3. Best approaches toward program budgeting, and methods for tracking time and program costs.
2. Overview of 2021 Water Quality Initiatives; Project Status - D. Masterpole & K. Klingberg

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D. Masterpole and K. Klingberg presented an oral report. The report was supported by a Power Point report titled: Overview of 2021 Water Quality Initiatives; Project Status, Chippewa County LCFM Committee 5/19/21, (Distributed 5/13/21 - copy on file & attached).

There was general discussion.

6. BUSINESS ITEMS

1. Review Summary of Spring 2021 Timber Sale Bids and Award Contracts - M. Hansen

M. Hansen presented an oral report. The report was supported by the following materials:

1. Table titled: Chippewa County Dept. of Land Conservation & Forest Management Weighted Average of High Bids - 5/17/21, (LCFM - copy on file & attached). The table outlines the wood types marketed through the Spring, 2021, timber sale process, the weighted average by wood product type, and the % change from the accepted November, 2020, timber sale process.
2. Summary table titled: Chippewa County Forest Listing of High Bids Submitted at May 17, 2021, Bid Opening, (LCFM - Copy on file & attached). The table outlines the volume of highest bidder, and the value of the accepted bid from the Spring, 2021, timber sale.
3. Summary tables from the May 17, 2021, Timber Sale Bids for Tracts #1-21, #2-21, #3-21, #5-21, #6-21, #7-21, #8-21, #9-21, #10-21, #13-21, #14-21, #15-21, #16-21, #17-21, #18-21, #19-21, #20-21, #21-21, and #22-21, (LCFM - Copy on file & attached), outlines the specific timber sale information for each tract, as submitted by each bidder.
4. Maps and prospectuses for Tracts #1-21, #2-21, #3-21, #4-21, #5-21, #6-21, #7-21, #8-21, #9-21, #10-21, #11-21, #12-21, #13-21, #14-21, #15-21, #16-21, #17-21, #18-21, #19-21, #20-21, #21-21, and #22-21, (LCFM - Distributed 5/13/21 - copy on file & attached).

There were no bids for Tracts #4-21, #11-21, and #12-21. M. Hansen requested permission to sell these sales directly, at a minimum bid, to willing buyers.

Motion to approve the current bids plus the ability to sell (unsold tracts) at a minimum bid (directly to the operators): Steele/Hauser. Motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Harold Steele, District 1 (Vice-Chair)
SECONDER:	Don Hauser, District 6
AYES:	Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel

2. Consider Revised Agricultural Performance Standards, Manure Storage & Livestock Facility Ordinance - D. Masterpole

D. Masterpole presented an oral report. The report was supported by the following materials:

1. Correspondence from B. Panzer (President, Chippewa County Farm Bureau) to D. Masterpole (LCFM), (5/18/21), (copy on file & attached). The correspondence informed the Committee

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that Farm Bureau members had reviewed the draft Agricultural Performance Standards, Manure Storage, and Livestock Facility Ordinance and encouraged the Committee to move forward to public hearing.

2. Working draft titled: Ordinance to Repeal and Recreate Article IV, Division 3 of Chapter 62 of the Chippewa County Code of Ordinances; Division 3. Agricultural Performance Standards, Manure Storage and Livestock Facility Management (LCFM 5/12/21 - Distributed 5/13/21 - copy on file & attached).
3. Map titled: Groundwater Nitrate Concentrations that Exceed 10 mg/L in Proximity to Permitted Manure Storage Structures & Associated Cropland with a Nutrient Management Plan, (LCFM 7/20 - Distributed 5/13/21 - copy on file & attached).
4. Graphic titled: Staff Recommendation for Conceptual Approach to Regulate Livestock Facilities & Cropping Operations by Applying the State's Ag Nonpoint Performance Standards and Prohibitions Through Time in Chippewa County, (LCFM 3/12/21 - Distributed 5/13/21 - copy on file & attached).

There was general discussion.

Motion to move this (revised ordinance) onto the public hearing process: Pingel/Schmitt. Motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Pingel, Citizen Rep
SECONDER:	Ken Schmitt, District 3
AYES:	Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel

7. AGENDA ITEMS FOR FUTURE CONSIDERATION

Future agenda items requested by the Committee are as follows:

1. The status of the non-metallic mining reclamation ordinance review by outside counsel.
2. The joint storm water management work plan and program costs.
3. County Forest & Trails Division special event approval.

8. ADJOURN

Motion to adjourn: Steele/Schmitt. Motion carried at 6:16 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, Harold Steele
SECONDER:	Ken Schmitt, District 3
AYES:	Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel

CHIPPEWA COUNTY

LAND CONSERVATION & FOREST MANAGEMENT COMMITTEE

REGULAR MEETING

APRIL 21, 2021

WEBEX CONFERENCE CALL

4:30 PM

DUE TO THE COVID-19 PANDEMIC, THIS MEETING IS BEING HELD VIA CONFERENCE CALL TO COMPLY WITH SOCIAL DISTANCING GUIDELINES. IF YOU ARE A MEMBER OF THE PUBLIC AND WISH TO SPEAK, PLEASE CALL THE DIAL IN NUMBER AND THE COMMITTEE CHAIR WILL ACKNOWLEDGE YOU AT THE APPROPRIATE TIME ON THE AGENDA.

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MEETING PHONE NUMBER: 1-415-655-0001

MEETING NUMBER (ACCESS CODE): 182 500 6908

MEETING PASSWORD: 82576686

1. CALL TO ORDER

2. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Dean Gullickson	Chippewa County	District 7 (Chair)	Present	
Harold Steele	Chippewa County	District 1 (Vice-Chair)	Present	
Glen Sikorski	Chippewa County	District 2	Present	
Ken Schmitt	Chippewa County	District 3	Present	
Don Hauser	Chippewa County	District 6	Present	
James Pingel	Chippewa County	Citizen Rep	Present	

The Chair noted that all Supervisors and the Citizen Rep of the LCFM Committee were present.

Agency staff present or attending remotely at times throughout the meeting were R. Scholz (Co. Administrator), T. Pauls (Corporation Counsel), D. Hutchison (DNR), K. Clow, M. Hansen, J. Larson, D. Masterpole, and J. Schemenauer - Recorder (LCFM).

Members of the public, as identified, attending remotely at times throughout the meeting were C. Kaiser, P. Popple, and D. Staber.

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

P. Popple addressed the Committee and provided written comments. She expressed concern regarding erosion at non-metallic mines in Chippewa County that are not being actively mined, and are being managed under an intermittent mining status. She requested that a copy of comments be placed on file.

Minutes Acceptance: Minutes of Apr 21, 2021 4:30 PM (Consent Agenda)

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D. Staber, Chair of the Town of Lafayette, addressed the Committee. He requested that the joint storm water management plan and associated program for the Chippewa Falls Urban Area be put on the LCFM agenda for the May meeting.

4. CONSENT AGENDA

Motion to pull out minutes from the 3/17/21 meeting: Steele/Sikorski.

Motion to amend 3/17/21 minutes as follows:

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

D. Staber, Chair of the Town of Lafayette, addressed the Committee. He expressed concern regarding Committee action on 3/3/21 whereby the Committee ~~registered an intent to~~ **voted to discontinue its role,** as established under the Chippewa Falls Urban Area Storm Water Plan, to work with the other municipalities subject to WPDES storm water permit requirements. He requested that there be further discussion with the affected municipalities.

P. Popple addressed the Committee. She requested that the meeting with the DNR, discussed by the Committee in 2020, be scheduled regarding non-metallic mining and water quality issues.

D. Ferstenou, Chair of the Town of Eagle Point, addressed the Committee. He expressed concern regarding Committee action on 3/3/21 whereby the Committee ~~registered an intent to~~ **voted to discontinue its role,** as established under the Chippewa Falls Urban Area Storm Water Plan, to work with the other municipalities subject to WPDES storm water permit requirements. He requested that there be further discussion with the affected municipalities.

G. Spilde, President of Village of Lake Hallie, addressed the Committee. He expressed concern regarding Committee action on 3/3/21 whereby the Committee ~~registered an intent to~~ **voted to discontinue its role,** as established under the Chippewa Falls Urban Area Storm Water Plan, to work with the other municipalities subject to WPDES storm water permit requirements. He requested that there be further discussion with the affected municipalities.

Steele/Sikorski.

The Chair called the roll call vote on the amendment: FSA Representative Pingel - Aye, Supervisor Hauser - Aye, Supervisor Schmitt - Nay, Supervisor Sikorski - Aye, Supervisor Steele - Aye, and Chair Gullickson - Aye. Motion carried 5-1.

Motion to approve consent agenda with amendments: Sikorski/Steele. Motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Glen Sikorski, District 2
SECONDER:	Harold Steele, District 1 (Vice-Chair)
AYES:	Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel

1. Approve the agenda
2. Approve the Minutes

Minutes Acceptance: Minutes of Apr 21, 2021 4:30 PM (Consent Agenda)

Land Conservation & Forest Management Committee

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3. Land Conservation & Forest Management Committee - Regular Meeting - Mar 17, 2021 4:30 PM
4. Schedule next meeting date - May 19, 2021

5. REPORTS

1. Overview & Announcement of Proposed Spring 2021 Timber Sale & Bids Opening - M. Hansen
J. Larson introduced the proposed Spring, 2021 Timber Sales. He reported that:
 1. There are twenty-two (22) numbered tracts in the County Forest that are scheduled for public notice and bidding under the 2021 Spring Timber Sale. Eight (8) of the sales are new sales and fourteen (14) are resales.
 2. Bids will be opened in May, 2021, with a bid summary to be presented to the LCFM at their May 19, 2021, meeting for Committee action.

The report was supported by the following materials:

1. Map titled: Chippewa County Forest 2021 Spring Sales Locations Map, (LCFM - Distributed 4/15/21 - copy on file & attached).
2. Prospectus and map titled: Chippewa County Timber Sale Tract 1-21, Spring Creek Oak Shelter Wood Harvest, (LCFM - Distributed 4/15/21 - copy on file & attached).
3. Prospectus and map titled: Chippewa County Timber Sale Tract 2-21, Scrape Line Hardwood Sale, (LCFM - Distributed 4/15/21 - copy on file & attached).
4. Prospectus and map titled: Chippewa County Timber Sale Tract 3-21, Frosty Aspen, (LCFM - Distributed 4/15/21 - copy on file & attached).
5. Prospectus and map titled: Chippewa County Timber Sale Tract 4-21, Mammoth Mtn Hardwoods Sale, (LCFM - Distributed 4/15/21 - copy on file & attached).
6. Prospectus and map titled: Chippewa County Timber Sale Tract 5-21, Ice Age Aspen, (LCFM - Distributed 4/15/21 - copy on file & attached).
7. Prospectus and map titled: Chippewa County Timber Sale Tract 6-21, Sand Lake Sale, (LCFM - Distributed 4/15/21 - copy on file & attached).
8. Prospectus and map titled: Chippewa County Timber Sale Tract 7-21, Fishpole Lake Drainage Selection Harvest, (LCFM - Distributed 4/15/21 - copy on file & attached).
9. Prospectus and map titled: Chippewa County Timber Sale Tract 8-21, Moses II Northern Hardwood Thinning, (LCFM - Distributed 4/15/21 - copy on file & attached).
10. Prospectus and map titled: Chippewa County Timber Sale Tract 9-21, Mallard Flowage Northern Hardwood Thinning, (LCFM - Distributed 4/15/21 - copy on file & attached).
11. Prospectus and map titled: Chippewa County Timber Sale Tract 10-21, Tealey Creek Aspen Regeneration, (LCFM - Distributed 4/15/21 - copy on file & attached).

Minutes Acceptance: Minutes of Apr 21, 2021 4:30 PM (Consent Agenda)

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12. Prospectus and map titled: Chippewa County Timber Sale Tract 11-21, Hwy M Snowmobile Trail Ash, (LCFM - Distributed 4/15/21 - copy on file & attached).
13. Prospectus and map titled: Chippewa County Timber Sale Tract 12-21, Ash Hill, (LCFM - Distributed 4/15/21 - copy on file & attached).
14. Prospectus and map titled: Chippewa County Timber Sale Tract 13-21, Ruby 330th Hardwoods Thinning, (LCFM - Distributed 4/15/21 - copy on file & attached).
15. Prospectus and map titled: Chippewa County Timber Sale Tract 14-21, Ruby Hardwoods Resale, (LCFM - Distributed 4/15/21 - copy on file & attached).
16. Prospectus and map titled: Chippewa County Timber Sale Tract 15-21, New ATV Hardwood Sale, (LCFM - Distributed 4/15/21 - copy on file & attached).
17. Prospectus and map titled: Chippewa County Timber Sale Tract 16-21, O'Neil Hardwoods Sale, (LCFM - Distributed 4/15/21 - copy on file & attached).
18. Prospectus and map titled: Chippewa County Timber Sale Tract 17-21, North Bradley Lake Oak, (LCFM - Distributed 4/15/21 - copy on file & attached).
19. Prospectus and map titled: Chippewa County Timber Sale Tract 18-21, Firth Lake Ash, (LCFM - Distributed 4/15/21 - copy on file & attached).
20. Prospectus and map titled: Chippewa County Timber Sale Tract 19-21, Maxfield Clearcut Sale, (LCFM - Distributed 4/15/21 - copy on file & attached).
21. Prospectus and map titled: Chippewa County Timber Sale Tract 20-21, Ol Misty Apsen, (LCFM - Distributed 4/15/21 - copy on file & attached).
22. Prospectus and map titled: Chippewa County Timber Sale Tract 21-21, We All Fall Down - Ash Harvest, (LCFM - Distributed 4/15/21 - copy on file & attached).
23. Prospectus and map titled: Chippewa County Timber Sale Tract 22-21, Bert and Ernie Aspen, (LCFM - Distributed 4/15/21 - copy on file & attached).

There was general discussion.

2. Overview of Neighborhood Listening Session; Agricultural Performance Standards, Manure Storage, & Livestock Facility Management Ordinance - D. Masterpole
D. Masterpole presented an oral report. He reported that on 3/30/21, the Department attended a neighborhood listening session, hosted by WI Farm Bureau and WI Farmers Union representatives, to explain the proposed Agricultural Performance Standards, Manure Storage, & Livestock Facility Management Ordinance and to solicit feedback.

A summary of the feedback, as provided by livestock and cash grain producers in attendance, is provided in a document titled: Key Points, As Interpreted From LCFM Staff Listening Session, 3/30/21, (LCFM 4/21/21 - copy on file & attached).

Minutes Acceptance: Minutes of Apr 21, 2021 4:30 PM (Consent Agenda)

Land Conservation & Forest Management Committee

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There was general discussion.

3. Overview of Process to Advance Revised & Amended Non-Metallic Mining Reclamation Ordinance Under NR 135.45 - D. Masterpole
D. Masterpole presented an oral report. The report was supported by Subchapter V of NR 135 titled: Subchapter V - Department Oversight and Assistance, (LCFM - Distributed 4/15/21 - copy on file & attached).

He reported that:

1. The DNR had been notified of the County's intent to update the County's non-metallic mining reclamation ordinance under NR 135.45.
2. Outside counsel would be retained for legal review, prior to formal submittal to DNR.

There was general discussion.

6. BUSINESS ITEMS

1. Authorize Timber Sale Contract Extensions - M. Hansen
M. Hansen presented an oral report. The report was supported by a table titled: Timber Sale Extensions Spring 2021, (LCFM - Distributed 4/15/21 - copy on file & attached).

There was limited discussion.

Motion to approve extension on these (presented) timber sales: Sikorski/Hauser. Motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Glen Sikorski, District 2
SECONDER:	Don Hauser, District 6
AYES:	Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel

7. AGENDA ITEMS FOR FUTURE CONSIDERATION

There was a request to include the joint storm water management plan with the current towns as a Business Item at the next LCFM Committee meeting.

8. ADJOURN

Motion to adjourn: Steele/Sikorski. Motion carried at 5:50 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Harold Steele, District 1 (Vice-Chair)
SECONDER:	Glen Sikorski, District 2
AYES:	Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel

Minutes Acceptance: Minutes of Apr 21, 2021 4:30 PM (Consent Agenda)



STATEMENT OF EXPLANATION
OVERVIEW OF LCFM 2021 ANNUAL WORK PLAN; CHIPPEWA FALLS
URBAN AREA STORM WATER MANAGEMENT PROGRAM

Chippewa County, the Village of Lake Hallie, the Town of Anson, the Town of Eagle Point and the Town of Lafayette are now required to implement a storm water management program to comply with Wisconsin Administrative Rule NR 216, and the Wisconsin Pollution Discharge Elimination System under WPDES Permit #WI- S050075.

To meet this requirement, Chippewa County and the affected municipalities have previously conducted a formal planning process and have completed a joint storm water management plan for designated areas within the Chippewa Falls Urban Area.

The resulting *Chippewa Falls Urban Area Storm Water Plan (10/10/07)*, defines a joint storm water management program which meets permit requirements.

In 2007, the Chippewa County Board of Supervisors adopted Resolution #35-07 to approve the Chippewa Falls Urban Area Storm Water Management Plan; and to authorize the County Board Chair and County Administrator to sign an intergovernmental agreement on behalf of the County.

The intergovernmental agreement was executed and a joint storm water program has been successfully implemented.

The WPDES Permit structure has now changed and the intergovernmental agreement has expired.

On 2/10/21, the LCFM Committee reviewed the existing joint storm water program under the new WPDES permit structure and a proposed revision of the intergovernmental agreement entered in 2007.

On 3/3/21, the LCFM Committee reviewed a draft intergovernmental agreement to implement a joint storm water program for the Chippewa Falls Urban Area. At that meeting, a motion to continue with the joint storm water plan (with municipalities) was introduced. The motion failed.

In response to that action, the Department of Land Conservation & Forest Management has developed a work plan and schedule of program activities, as planned to meet the County's obligations under WPDES permit #WI S050075, working independently from, while in communication with the other affected municipalities.

This agenda item will be used to present the County's 2021 Annual Work Plan for the Chippewa Falls Urban Area Storm Water Management Program.

I. PUBLIC EDUCATION AND OUTREACH	January				February				March				April				May				June				July				August				September				October				November				December			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4				
Schedule and implement planned outreach and information activities, as outlined in the Chippewa Falls Urban Area Storm Water Management Plan, (2007). Targeted audiences and activities planned in 2021 are highlighted in Table X, 2021, (Attached).																																																
Assign/Schedule resources to participate in regional "Rain to Rivers".																																																
II. PUBLIC PARTICIPATION	January				February				March				April				May				June				July				August				September				October				November				December			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4				
Conduct public meetings & hearings, as necessary, to: -Review & evaluate Chippewa Falls Urban Area Storm Water Plan, (2007). -Consider plan/policy changes and roles/responsibilities -Review, amend, and renew (?) 66.03 intermunicipal agreement. -Change ordinances.																																																
III. ILLICIT DISCHARGE DETECTION AND ELIMINATION	January				February				March				April				May				June				July				August				September				October				November				December			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4				
Inform municipalities of MS4 boundary changes, made by DNR, that reflect most recent changes (Date). Re-inventory ditch line conveyances and associated storm water outfalls subject to WPDES requirements that are located within newly established MS4 boundary. Amend and create new sets Pacer/Illicit Discharge Inspection Maps. Distribute to County and municipal road patrol/maintenance teams. Schedule & conduct illicit dischrage training. Schedule & conduct bi-annual illicit discharge inspections.																																																
IV. CONSTRUCTION SITE/STORMWATER ORDINANCE	January				February				March				April				May				June				July				August				September				October				November				December			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4				
Assign/Schedule resources to amend the Stormwater Management – Construction Site Erosion Control and Post-Construction Ordinance to add provisions to regulate and enforce illicit discharge.																																																
V. POLLUTION PREVENTION/WATER QUALITY MODEL	January				February				March				April				May				June				July				August				September				October				November				December			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4				
Determine methods to segregate pollutant loading analysis by municipal jurisdiction Conduct GIS analysis to reflect changes in MS4 boundary, storm water system watersheds, and storm water outfalls. Assign pollution loads and 20% TSS reduction limits																																																
VI. STORM SEWER SYSTEM MAP	January				February				March				April				May				June				July				August				September				October				November				December			



- Stormwater Facility Components
- Stormwater Outfalls Inspected in 2020 (15/15)
- MS4 (2021)
- MS4 (1990)
- Stormwater Facility Extents
- Stormwater Facilities Inspected in 2020 (11/11)
- City of Chippewa Falls
- Towns and Villages
- State & County Roads

A horizontal scale bar with a black background. It is divided into four equal segments by white vertical lines. Above the bar, the numbers 2.5, 1.25, 0, and 2.5 are written in white, corresponding to the segments from left to right. The word "Miles" is written in white at the far right end of the bar.



Chippewa County
Land Conservation and Forest Management
 "Stewardship for Sustainability"

(715) 726-7920
www.co.chippewa.wi.us

711 North Bridge Street
 Chippewa Falls, WI 54729-1876

CHIPPEWA COUNTY 2020 STORM WATER PROGRAM MANAGEMENT NARRATIVE

Chippewa County, the Village of Lake Hallie, the Town of Anson, the Town of Eagle Point, and the Town of Lafayette are subject to regulatory requirements of WI Admin. Code, chs. NR 151 and NR 216, and WPDES Permit #WI-S050075-3, to control storm water discharges from storm water systems they manage in the Chippewa Falls urban area.

To meet these requirements, the municipalities have developed the Chippewa Falls Urban Area Storm Water Management Plan (2007).

Upon adoption of the plan, the County and municipalities developed a 66.03 intermunicipal agreement that was created to establish and guide a joint storm water program.

This joint program has been systematically administered by the County and municipalities to meet WPDES requirements, and to provide a consistent and coordinated approach to manage storm water runoff and flooding in the Chippewa Falls urban area.

The Chippewa County Land Conservation & Forest Management Committee (LCFM) has recently taken committee action to register a policy intent to no longer provide the full scope of administrative and technical services, as planned under the Chippewa Falls Urban Area Storm Water Plan (2007), and as now administered under the joint storm water management program. Portions of the LCFM Committee minutes, dated 3/3/21, are provided as Attachment I.

In response to the Committee action, and in filing this 2021 WPDES storm water report, the County staff has prepared to develop, administer, and finance a new free-standing storm water management program to meet permit requirements.

To assist in a transition, the County staff will now review the existing Chippewa Falls Urban Area plan, and DNR staff will work with the affected municipalities to identify issues of concern and to evaluate program options.

As part of this, evaluation efforts will be made to document current and anticipated program costs, and determine the public costs and benefits of other institutional approaches or service arrangements that can be pursued by the County and municipalities, working independently or collectively.

Table 4 from the Chippewa Falls Urban Area Storm Water Plan (2007), provides a summary of core responsibilities, as delegated among cooperating municipalities and agencies under the existing joint storm water program. This table is provided as Attachment II.

A working draft of an updated 66.03 intergovernmental agreement that will be used by the (Village/Town) to advance further discussions, is provided as Attachment III.

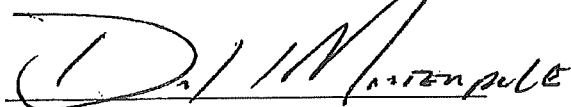
In 2019, the County and participating municipalities requested, and the DNR regional storm water staff conducted, a baseline audit of the Chippewa Falls Urban Area Joint Storm Water Program. This audit was conducted to define the extent of current permit compliance, and to provide a basis for continuous improvement.

The results of this audit showed significant compliance with all WPDES permit requirements, with minor deficiencies that were prescribed as corrective actions. The results of this audit are provided as Attachment IV.

To address any outstanding concerns regarding permit compliance, it is the intent of the County to work with others in 2021 to address any remaining deficiencies, as identified.

The operational details and supporting documents that explain how the Chippewa Falls Urban Area Storm Water Program is now administered, are contained in this written 2020 Storm Water Management Program (SWMP) narrative, and the supporting attachments, as filed by Chippewa County.

Please see the attachments for additional details.



Dan Masterpole, Director
Chippewa County Dept. of Land Conservation
& Forest Management

3/31/2021
Date

h:\admin\co_regs\stormh2o\ms4_permit\annual report\storm water management program\2020 reporting year\county narrative.docx

Table 4

LCD 6/6/07

**SUMMARY OF CORE RESPONSIBILITIES OF COOPERATING MUNICIPALITIES
AND AGENCIES UNDER THE JOINT PERMIT AND ASSOCIATED
STORMWATER MANAGEMENT PROGRAM**

PROGRAM AREA AND ACTIVITY	COUNTY			MUNICIPALITIES		
	Zoning	LCC	Highway	Lake Hallie	L. Hallie/Eagle Point	Lafayette
Public Education and Outreach						
Public Information/Outreach		X				
Targeted Education		X				
Chippewa Valley Stormwater Forum		X		X	X	X
Public Participation						
Public Meetings		X				
Stormwater Coordinating Committee	X	X	X	X	X	X
Illicit Discharge Detection and Elimination						
Annual Training			X	X	X	X
Annual Ditchline Inspection			X	X	X	X
Annual Outfall Inspection		X				
Regulatory Response/Enforcement	X					
Construction Site/Stormwater Ordinance						
Permit Administration	X					
Plan Review		X				
Construction Inspection		X				
Regulatory Enforcement	X					
Pollution Prevention/Water Quality Model						
Annual BMP Inspection		X				
Storm Sewer System Map						
Collect/Maintain Data (BMP'S)		X				
Update/Maintain Drainage System Map/GIS		X				
Permit Reporting and Administration						
WPDES Permit Admin/Reporting		X		X	X	X

H:\Admin\Sec\Stormwater\Stormwater Plan\Tables\Table 4.xls



STATEMENT OF EXPLANATION OVERVIEW OF 2021 WATER QUALITY INITIATIVES; PROJECT STATUS

5.2

In Wisconsin, counties have been assigned statutory authority to plan and implement soil and water conservation, and nonpoint source water pollution control programs to meet local needs. Wisconsin Stats., Chapter 92 requires the county to develop a county land and water resource management plan.

The Chippewa County Land & Water Resource Management Plan (2019-2023), (5/14/19), has been developed by the County Land Conservation & Forest Management Committee, and had been adopted by the Chippewa County Board, to meet state requirements and to serve as a guide for local conservation efforts administered by the county, and cooperating state and federal agencies.

This plan describes the existing condition of land and water resources in Chippewa County, and outlines conservation issues of primary concern. It also describes how the county will direct its programs to address these issues.

The plan establishes resource management objectives for surface waters, wetlands, and groundwater; defines program objectives, and establishes an implementation schedule to meet program objectives.

This report will provide an overview of several water quality-based project initiatives that are now being systematically advanced by the Dept. and cooperating agencies to meet resource management and program objectives.

Overview of 2021 Water Quality Initiatives; Project Status

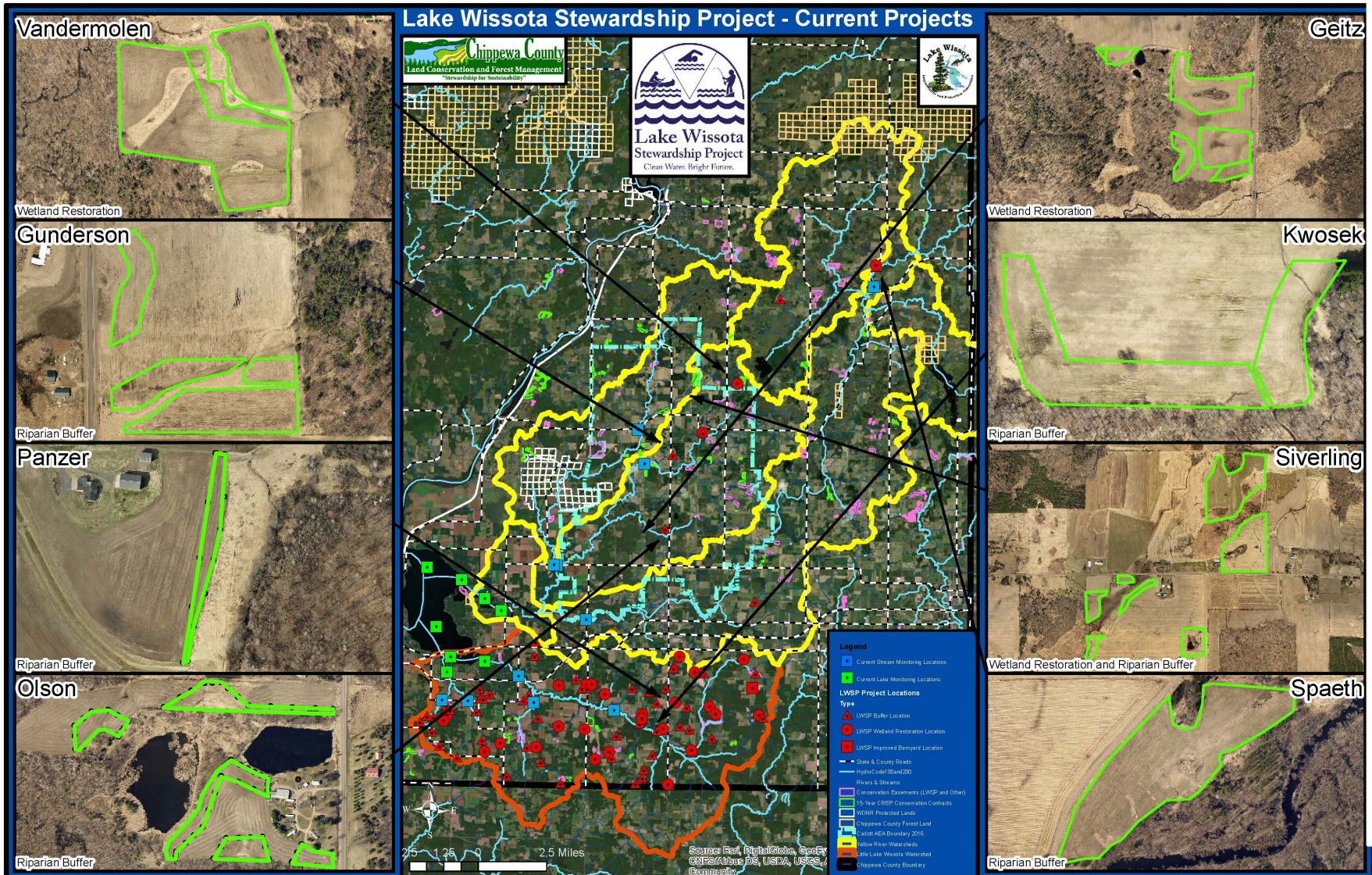
Chippewa County LCFM Committee
5/19/21

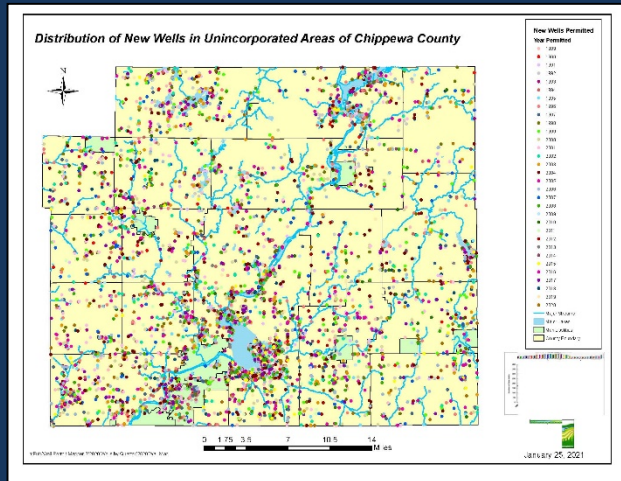
D. Masterpole & K. Klingberg



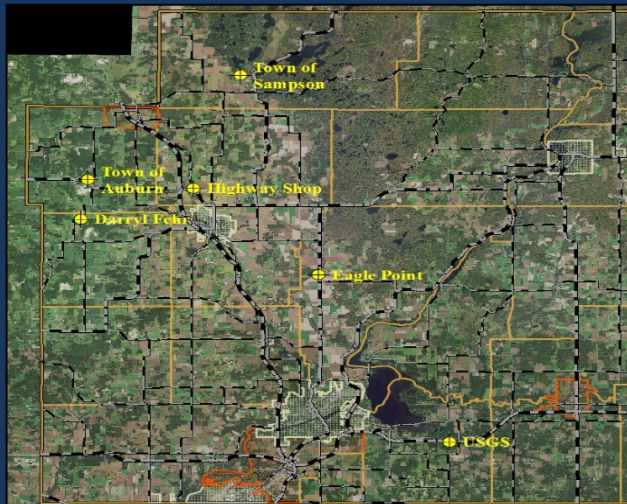
- Provided \$ & tech. services to rural landowners to install conservation practices via:
 - L. Lake Wissota Stewardship Project
(Paint/Stillson/Yellow River watersheds)
 - Crep Agricultural Buffer Initiative
(County-wide via USDA/WI CREP)
- Conservation practices used to:
 - Reduce runoff pollution to standards & meet water quality mgt. objectives
 - Increase grndwtr recharge/flood storage
 - Increase biodiversity/wildlife habitat







- Maintained Chippewa Co. Groundwater Inventory
 - Well log/permit locations
 - Groundwater Sampling/Index
- Maintained Permanent Groundwater Elevation Monitoring Network via “WellIntel” remote sensing



- Advanced Environmental Education Initiatives
 - Agricultural Education Coordinating Council
 - K-12 Environmental/STEM Curriculum Inventory Pilot
 - Lakes citizen science water quality network via DNR/Beaver Creek Reserve
 - Groundwater Irrigation & Nitrate Management Field Demo Project

- Advanced Environmental Education Initiatives

- Agricultural Education Coordinating Council

- Purpose

- Facilitate structured communication among ag agencies & educators
 - Develop annual interagency soil/water conservation work plan
 - Develop other outreach activities of value to ag and public
 - Apply work plan to improve public's understanding of ag.



4/26/2021

2021 Interagency Soil and Water Conservation Education Work Plan (Chippewa County Agricultural Agency Education Coordinating Council)

COMMUNITY OUTREACH & INFORMATION DELIVERY	January				February				March				April				May				June				July				August				September				October				November				December			
Newsletters	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4				
Blogs																																																
LCFM - Conservation note to crops and soils professionals that develop 590 NMPs in Chippewa County	x					x				x				x				x				x				x				x				x				x				x						
LCFM - Climate change monitoring project using remote weather stations to disseminate agricultural weather data																					x													x														
Media Releases																																																
ADULT & YOUTH EDUCATION	January				February				March				April				May				June				July				August				September				October				November				December			
Adult Education	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
UWEX and LCFM - Virtual Webinar: Interaction of Agriculture and Groundwater in Chippewa County											x																																					
Youth Education																																																
LCFM - Ag / Environmental Education project supplying local weather and climate data to HS science instructors							x														x															x												
LCFM - Ag / Environmental Education project supplying land resource, soils and mapping data to HS science instructors							x														x															x												
Field days																																																
UWEX - N Management on Sandy Soils and Emergency Manure Spill Response Field Day at Solhawk Farms - details to come																																																
Irrigation & N mgmt on sandy soils Field Day at Arrowhead Farms - details to come																																																

H:\Admin\Sec\Education\Ag Education Council\2021 Workplan.xls

- Advanced Environmental Education Initiatives
 - K-12 Environmental/STEM Curriculum Inventory Pilot
 - Bloomer/Cadott Pilot Survey
 - Remote Student GIS Project exercise

CHIPPEWA COUNTY AGRICULTURE & ENVIRONMENTAL EDUCATION INITIATIVE



2019-2020
Pilot Project Report to Citizen Advisory Committee

Chippewa County Dept. of Land Conservation & Forest Management

Chippewa County Agriculture & Environmental Education Initiative
Citizen Advisory Committee

Bloomer & Cadott School Districts, K-12

Amanda Kostner, The Green Frog Company

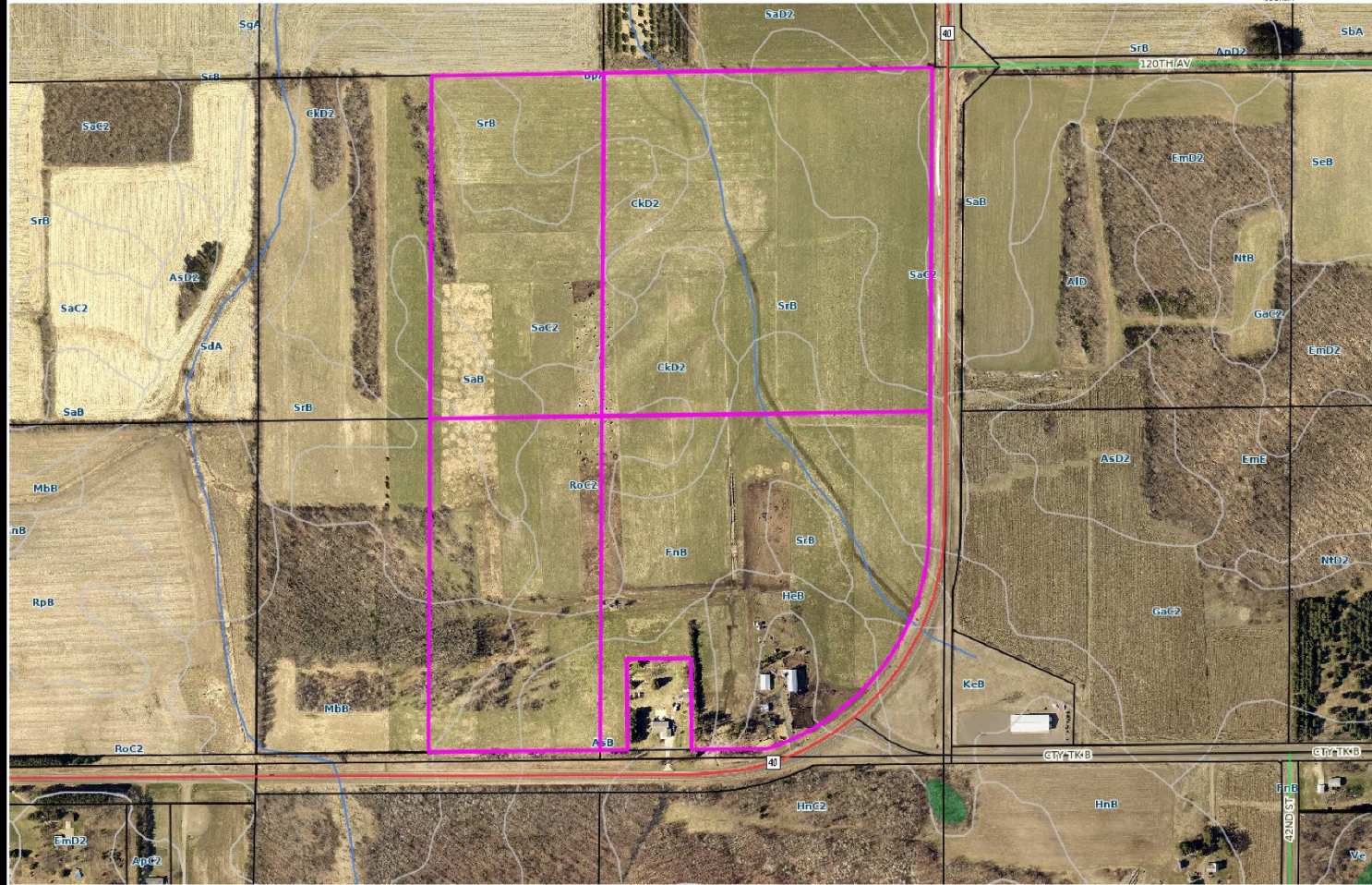
DRAFT

9/8/2020

Schmitt Map

Printed 01/08/2021

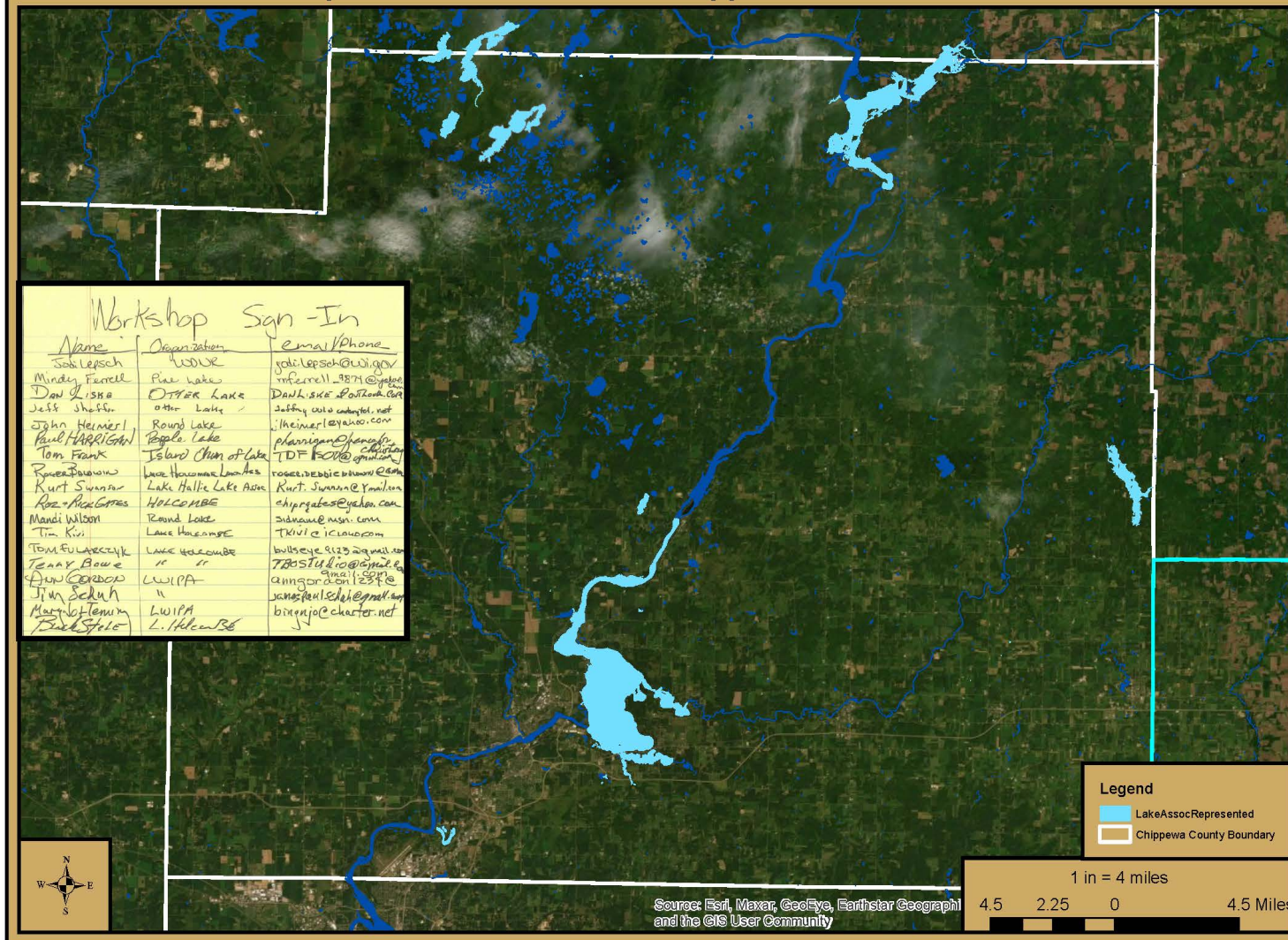
Scale = 1:500'



Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

- Advanced Environmental Education Initiatives
 - Lakes citizen science water quality network via DNR/Beaver Creek Reserve

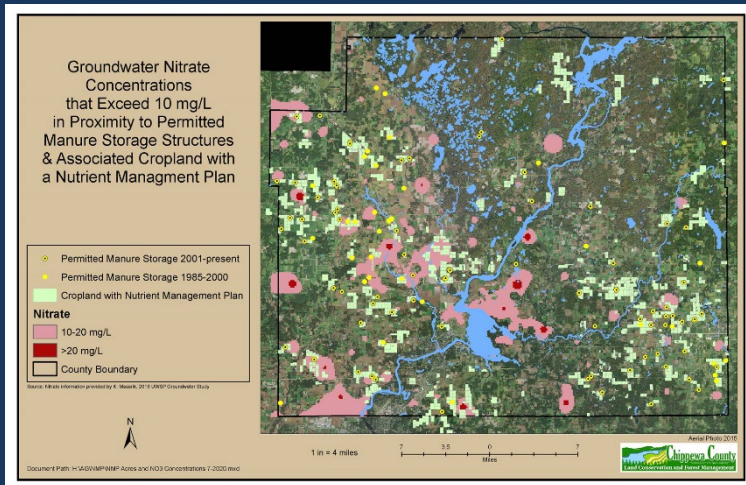
Lake Associations Represented At The 2019 Chippewa Co. Lake Association Conference



- Advanced Environmental Education Initiatives
 - Groundwater Irrigation & Nitrate Management Field Demo Project

Field Demonstration:

Nitrogen management for corn on sandy irrigated soils to minimize nitrate N leaching to groundwater



Field Demonstration: Nitrogen management for corn on sandy irrigated soils to minimize nitrate N leaching to groundwater

Farmers and crop consultants would benefit from learning the process involved with nitrogen management decisions that meet the 590 Standard for corn production on sandy irrigated cropland.

A field demonstration is planned:

1. Demonstrate nitrogen tracking and management (NRCS 590; UWEX Agronomy and Soils) on a sandy irrigated corn field.
2. Host a mid-summer field day, featuring the demonstration field, to discuss irrigation water use efficiency and cropland nitrogen BMPs on sandy permeable soils.
3. Demo. complemented by remote weather station.



Field Demonstration: Nitrogen management for corn on sandy irrigated soils to minimize nitrate N leaching to groundwater

What are the soil and weather conditions that can lead to N being lost out of the plant root zone?

In the fall, is the soil temperature cool enough that N from applied manure will not rapidly convert to (leachable) $\text{NO}_3\text{-N}$?

How much soil water is present, and is it time to turn on the irrigator?

Field Demonstration: Nitrogen management for corn on sandy irrigated soils to minimize nitrate N leaching to groundwater

Chippewa County LCFM deployed 2 remote weather stations into agricultural settings (spring 2021).

1. Assist agricultural decision making, esp awareness of soil and weather conditions riskier for contributing sediment and nutrients to surface water and/or nutrients to groundwater;
2. Increase understanding of climate change and impact upon local food production and land use management.

Target audience: farmers, crop consultants, school system science teachers, environmental professionals, and others.



<https://www.SpecConnect.net/currentconditions/publicview?serialnumber=290026351&title=Conditions&units=F.in.mph.df.psi&rfo>

QUESTIONS?



STATEMENT OF EXPLANATION
REVIEW SUMMARY OF SPRING 2021 TIMBER SALE BIDS AND AWARD
CONTRACTS

6.1

The LCFM, acting through the Forest and Trails Division (FT), manages the Chippewa County Forest for multiple public objectives in accordance with the Chippewa County Forest Comprehensive Land Use Plan and WI. Stats. Chapter 28. These objectives include management of the Co. Forest system for sustainable timber production, public recreation and environmental conservation.

Chippewa Co. manages the Co. Forest to optimize forest health by applying standard silvicultural treatments, that are applied to designated forest compartments and timber stands situated with those compartments.

As a primary silvicultural treatment, scheduled timber harvests are routinely conducted at the timber stand level as needed to meet overall forest management objectives.

Under the process, timber stands that are scheduled for harvest are evaluated by WI DNR and FT foresters. These foresters identify the trees to be harvested and estimate the volume of the different timber types that are available for harvest within each timber stand sale tract.

Bid packages are then prepared for each timber stand sale tract and competitive bids are sought from private sector logging contractors for the value of the wood products within each sale tract.

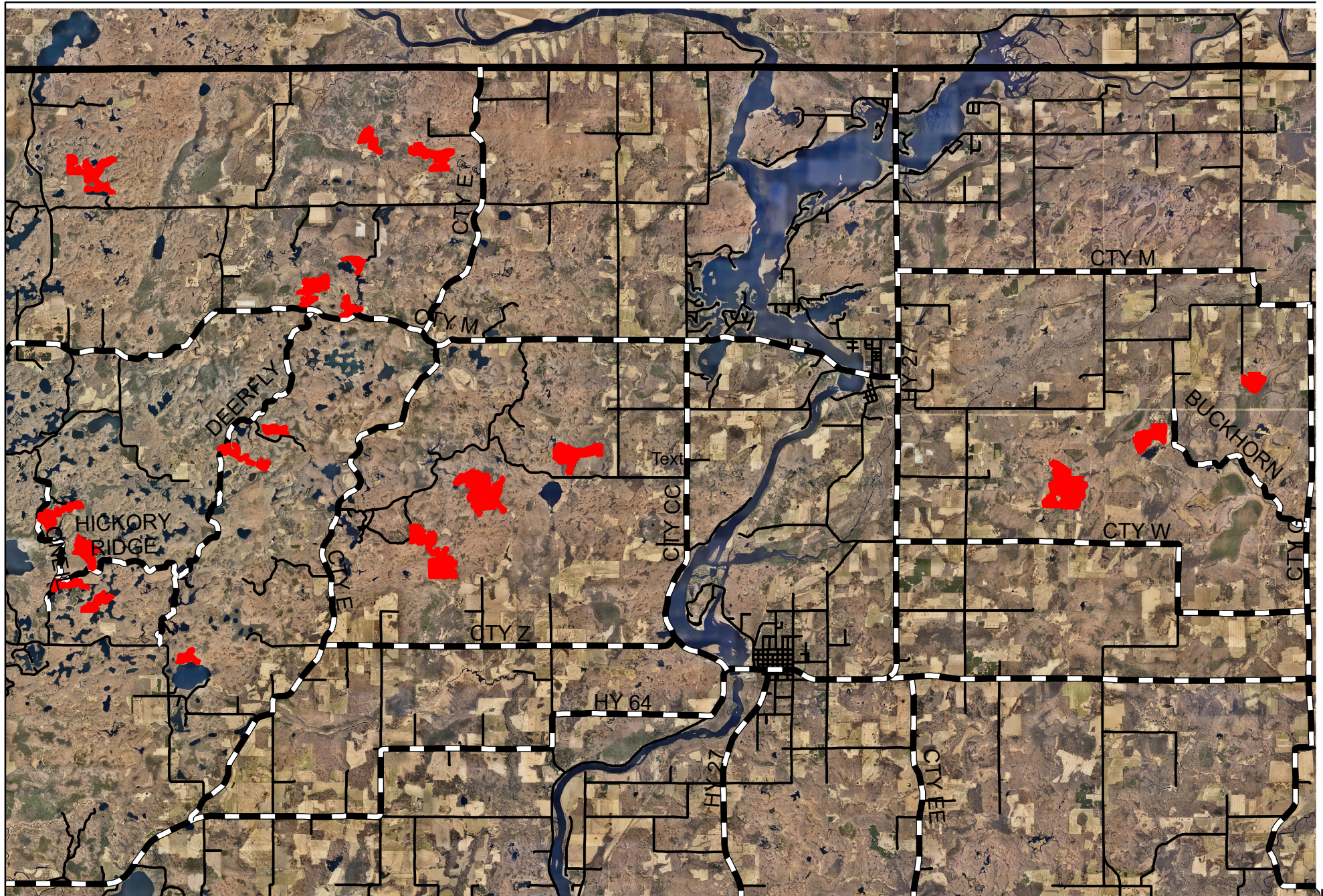
In preparing for and conducting the harvest, prescribed "best management practices" are used by the County and by logging contractors to meet established standards for Sustainable Forest Certification (SFC).

The County routinely plans and administers two (2) scheduled forest harvests and bid openings on a seasonal basis, one in the Spring and one in the Fall.

Following this process, the FT Division has now solicited and received competitive bids for the current seasonal sale, involving twenty-two (22) County Forest Timber Sales totaling approximately 954 acres.

To complete the competitive bid process the FT Division has compiled bids, evaluated them to assure that they are complete, and has identified the highest bidder for each timber sale tract. The LCFM Committee will review the outcome of this competitive bid process and will take action to award the timber sale contract for each sale tract.

Chippewa County Forest 2021 Spring Sales Locations Map



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids

CHIPPEWA COUNTY TIMBER SALE TRACT 1-21**Spring Creek Oak Shelter Wood Harvest**

Total Sale Area: (approximately 100 acres)

Located in T31N R7W Sections 4 and 9, Town of Cleveland

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 1-21 is \$ 41,440.00.**

Species	Amount	
	tons	MBF
Oak cordwood	2300	
*MX HW cordwood	1550	
Red Oak Logs		184
*MX HW logs		43

*MX HW is 60% Red Maple

Sale Area Description:

The boundaries of this sale are marked with red and blue paint lines. This sale contains two harvesting systems. 26 acres will be thinned to create canopy gaps around existing regeneration. The remaining 74 acres is an oak shelter wood harvest system implemented to regenerate an oak stand. Scarification by logging equipment will be encouraged in shelter wood area.

Cutting Requirements:

Shelter wood area: (74 acres) Cut all trees 1" or greater. Do not cut reserve trees marked in Green, sale boundary trees (red or blue paint) or trees that are marked with yellow paint to identify riparian management zones.

Thinning with Gaps: (26 acres) Cut all trees marked with Orange paint including any non-merchantable trees marked with Orange paint. Do not cut any boundary trees marked in red

Do not cut or damage any conifers or advanced oak regeneration.

Special Conditions:

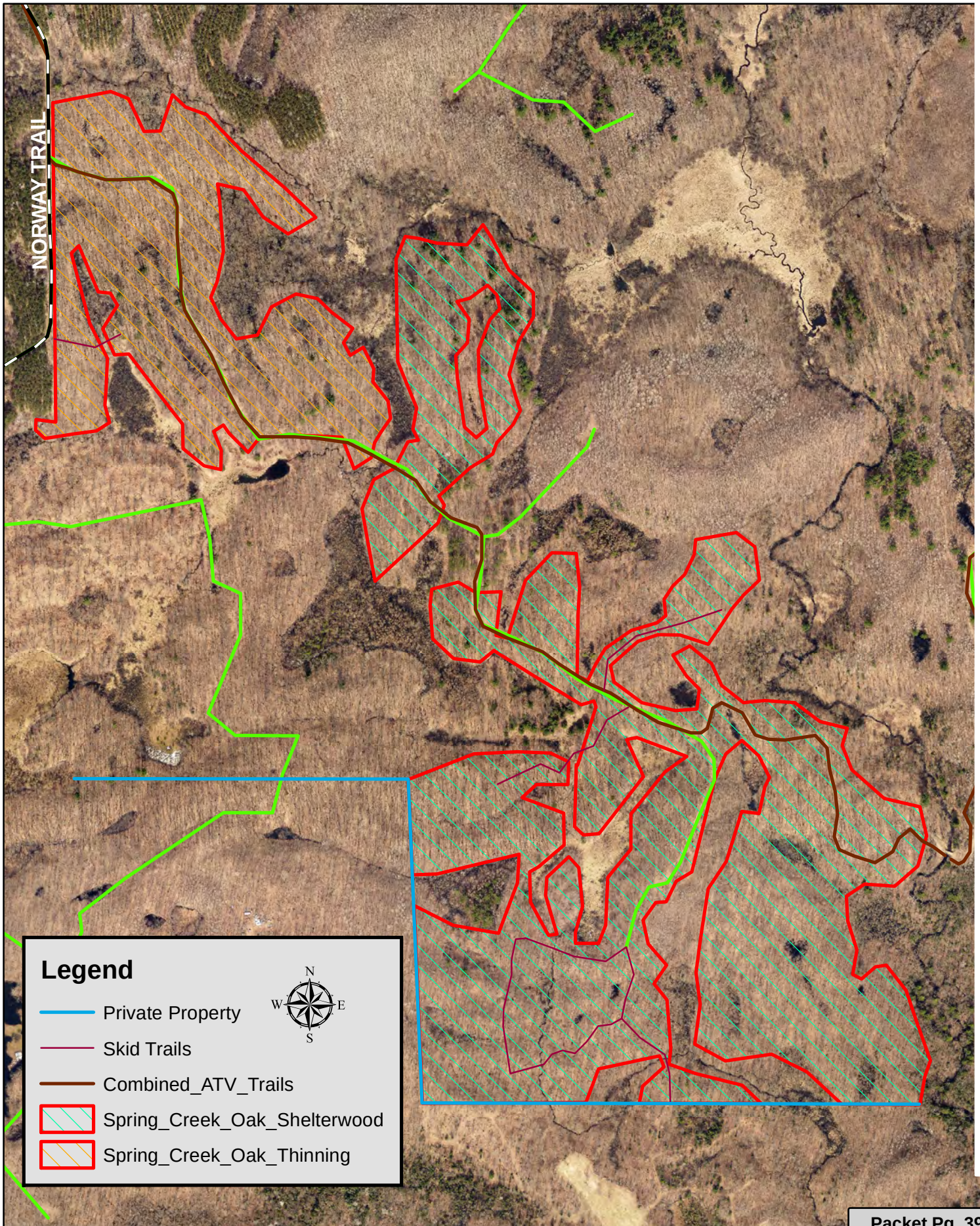
- No harvesting activity will be allowed if rutting occurs.
- Oak Wilt Restrictions apply: No harvesting is allowed between April 15 and July 15.
- All recreational trails will remain open to the public during sale operation, must remain free of slash and passable to trail users during the duration of the harvest operation.
- In the event that timber mats will be required County timber mats are available for use, at no charge, on a first come first served basis.
- No equipment operation is allowed within wetland areas delineated by yellow paint.
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- All landing locations must be approved. All merchantable timber that is removed along landings or skid trails must be utilized and accounted for through mill slips or log scales.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- All cordwood shall be utilized to a 4" top diameter.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- The contract length is approximately two years.

Map is Located on Back

Spring Creek Oak

6.1.a

Tract 1-21 Approximatley 100 acres



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids and Award Contracts)

CHIPPEWA COUNTY TIMBER SALE TRACT 2-21

Scrape Line Hardwood Sale

Total Sale Area: (approximately 66 acres)

T31N R07W Section 3 and 4, Town of Cleveland and T32N Range 07W Sections 33 and 34, Town of Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 2-21 is \$ 16,500.00**

Species	Amount	
	tons	MBF
Mixed Hardwood cordwood	1200	
Oak cordwood	160	
Aspen cordwood	110	
Red Oak logs		27
Ash Logs		33
Red Maple Logs		35
Mixed Hardwood logs		20

Sale Area Description:

The boundaries of this sale are marked with red paint lines. A Northern Hardwood stand that is approximately 66 acres will be thinned using single tree selection with canopy gaps to maintain forest health. The site is accessed by a permanent secondary road off of 250th ave/ firth lake road

The Ice Age National Scenic Trail borders the sale in the northeastern region and crosses the access road. The County Forest ATV Trail travels through the sale boundary. Both trails will remain open for public use during timber sale operations and must remain completely free of logging debris and passable. Decking along the ATV Trail is allowed provided that the trail remains passable. The County will be responsible for signage.

Cutting Requirements:

Selection Harvest: Cut all trees marked with orange paint, including non-commercial trees marked with orange paint. **Do Not Cut** sale boundary trees that are marked with red paint and wetland no equipment zones which are marked with yellow paint

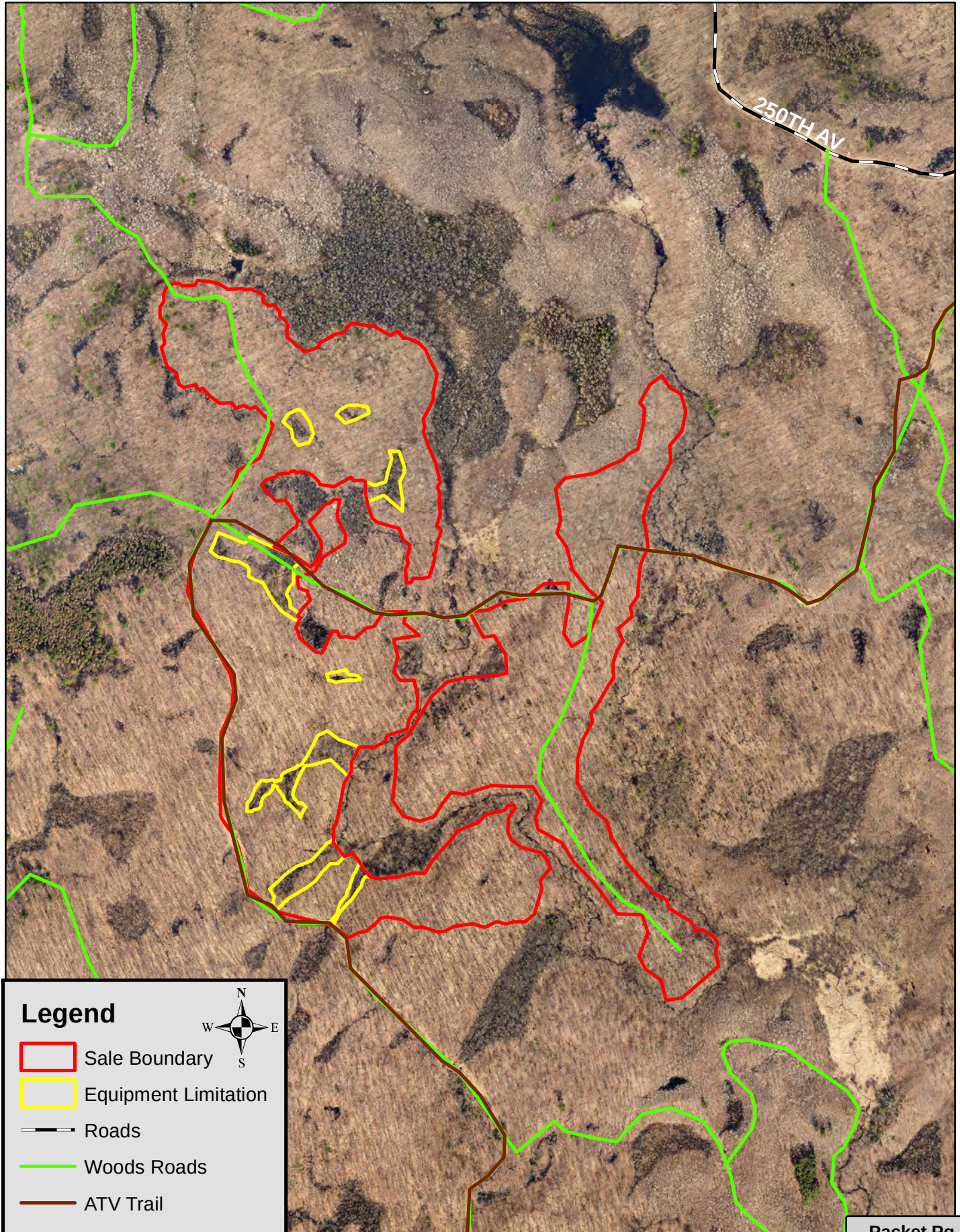
Special Conditions:

- **Harvest activity is prohibited between April 1 and August 31st due to oak wilt and NHI restrictions.**
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- All landing locations must be approved. All merchantable timber that is removed along landings or skid trails must be utilized and accounted for through mill slips or log scales.
- The ATV trail will remain open during harvest. Decking along The ATV trail will be permitted. Trail must remain passable at all times.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- The contract length is 2 years.

MAP IS LOCATED ON THE BACK

Scrape Line Tract 2-21 (Approximately 66 acres)

Northern Hardwood Single Tree Selection



CHIPPEWA COUNTY TIMBER SALE TRACT 3-21**Frosty Aspen**

(approximately 14 acres)

Located in T32N R7W Sections 17 and 18, Town of Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 3-21 is \$ 10,490.00.**

Species	Amount	
	Tons	MBF
Aspen cordwood	1150	
Mixed Hdwd cordwood	70	

Sale Area Description:

This sale will be a clear-cut to coppice the aspen in the stand. The boundaries of this sale are marked with red paint line. The sale is adjacent the Willow Creek #2 and #3 flowage trails. Sale is accessed off of 290th Ave and 205th St. to the Willow Creek Flowage Trail. The County will be responsible for signage.

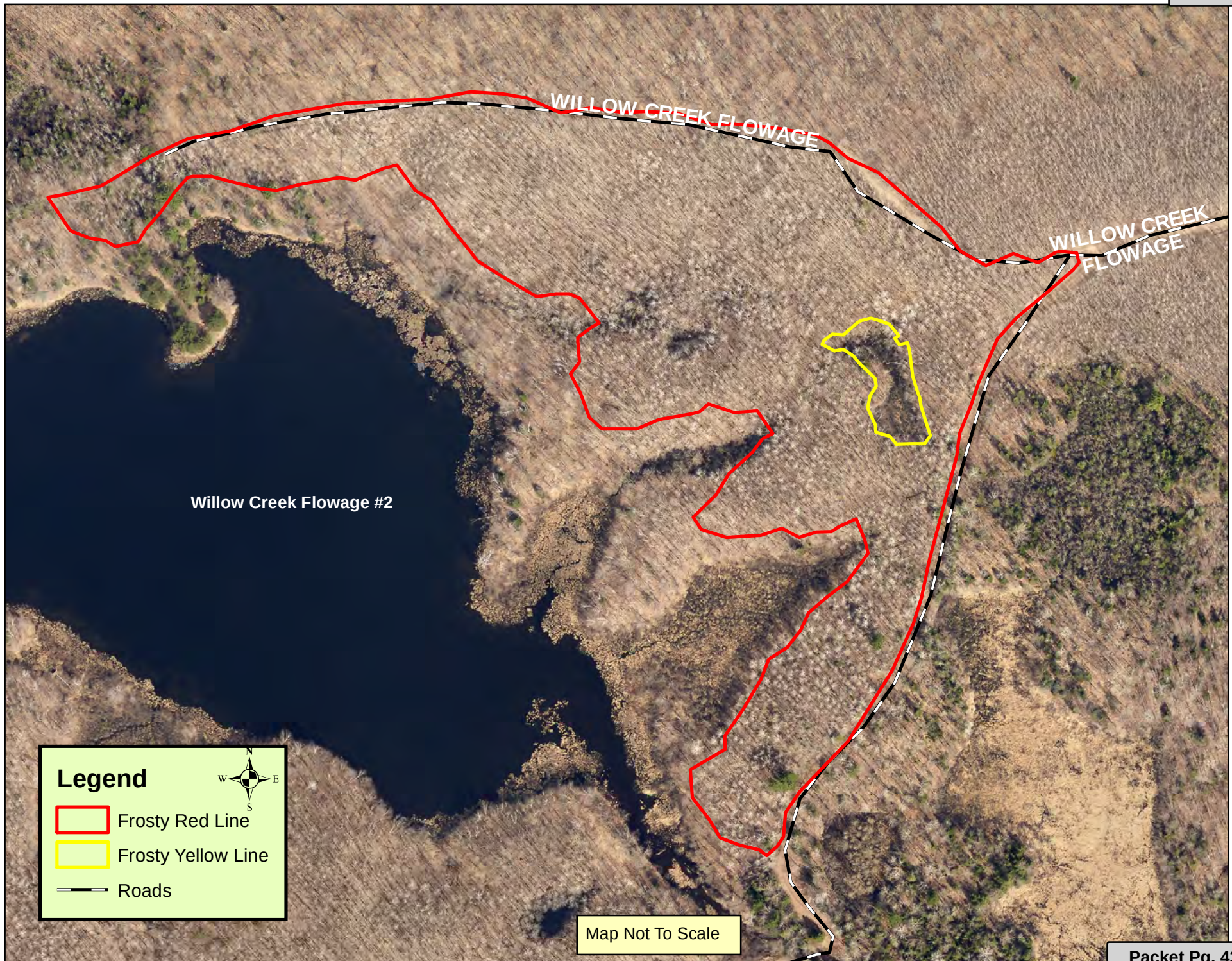
Cutting Requirements:

Aspen Harvest Areas: (14 acres) Cut all trees one inch in diameter and larger. **Do not** cut red marked boundary trees, yellow marked equipment limitation border, pole sized oak or conifers.

Special Conditions:

- The contract length is 2 years.
- No harvesting activity will be allowed if rutting occurs. Small pockets of wetlands/low areas shall be avoided with caution.
- **Do not** cut any red or yellow marked boundary trees, pole sized oak or conifers.
- All cordwood shall be utilized to a 4" top diameter.
- Willow Creek Flowage trail will remain open which also serves as ATV trail. Decking along Willow Creek trail will be permitted. Road must remain passable at all times.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- All slash must lie within two feet of the ground.
- All logging debris must remain within the sale boundaries and removed from wetlands and trails.
- All landing locations must be approved by the county.

Map Located on the Back



CHIPPEWA COUNTY TIMBER SALE TRACT 4-21

Mammoth Mtn Hardwoods Sale

Located in Sec. 36 T32N R8W Town of Birch Creek

Total Sale Area: (approximately 10 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 4-21 is \$ 2,240.00**

Species	Amount	
	Tons	MBF
Mixed Hdwd cordwood	220	
Oak logs		10
Mixed Hardwood logs		2

Sale Area Description:

The boundaries of this sale are marked with red paint lines. This Northern Hardwood stand of approximately 10 acres will be thinned using uneven-aged management, utilizing single tree selection with canopy gaps. This sale is accessed from the Deer Fly Trail and other secondary forest roads. Sections of the road network also serve as Ice Age Trail. The trail will remain open during harvest. Horse trails also meander through the stand and will remain open. This sale will require cable skidding due to steep slopes.

Cutting Requirements:

Selection Harvest Area: Cut all trees marked with orange paint, including non-commercial trees marked with orange paint. Do not cut sale boundary trees (red paint).

Special Conditions:

- No harvesting activity will be allowed if rutting occurs.
- Oak Wilt and Restrictions apply: No harvesting or other operation is allowed within the site between April 1 and July 15.
- Cable skidding will be required on steep slopes.
- All logging debris must remain within the sale boundaries and kept from wetlands and trails.
- Trails will remain open and shall be cleaned of all debris.
- All landing locations must be approved. All merchantable timber that is removed along landings or skid trails must be utilized and accounted for through mill slips or log scales.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All cordwood shall be utilized to a 4" top diameter.
- All hardwood logs, 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- The contract length is 1 year.

Map Located on Back

Mammoth Mtn

Tract 4-21 Approximately 10 acres

Northern Hardwoods single tree selection

Legend

- Roads
- Ice Age Trail
- Horse Trail
- Woods Roads
- Mammoth Mtn Sale Boundary



6.1.a



Map Not To Scale

Packet Pg. 45

CHIPPEWA COUNTY TIMBER SALE TRACT 5-21**Ice Age Aspen**

(approximately 22 acres)

Located in T32N R8W Section 36, Town of Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 5-21 is \$ 14,170.00.**

Species	Amount	
	Tons	MBF
Aspen cordwood	1550	
Mixed Hdwd cordwood	110	

Sale Area Description:

This sale will be a clear-cut to coppice the aspen in the stand. The boundaries of this sale are marked with red paint line and red to delineate wetland boundaries. The sale is accessed on an existing woods road from the Deer Fly Trail County Forest Road. Part of the sale is designed as a future visual buffer on the Ice Age Trail and is located along the trail. The County will be responsible for signage.

Cutting Requirements:

Aspen Harvest Areas: (22 acres) Cut all trees one inch in diameter and larger. **Do not** cut any oaks that are 10" dbh or smaller, boundary trees or conifers.

Special Conditions:

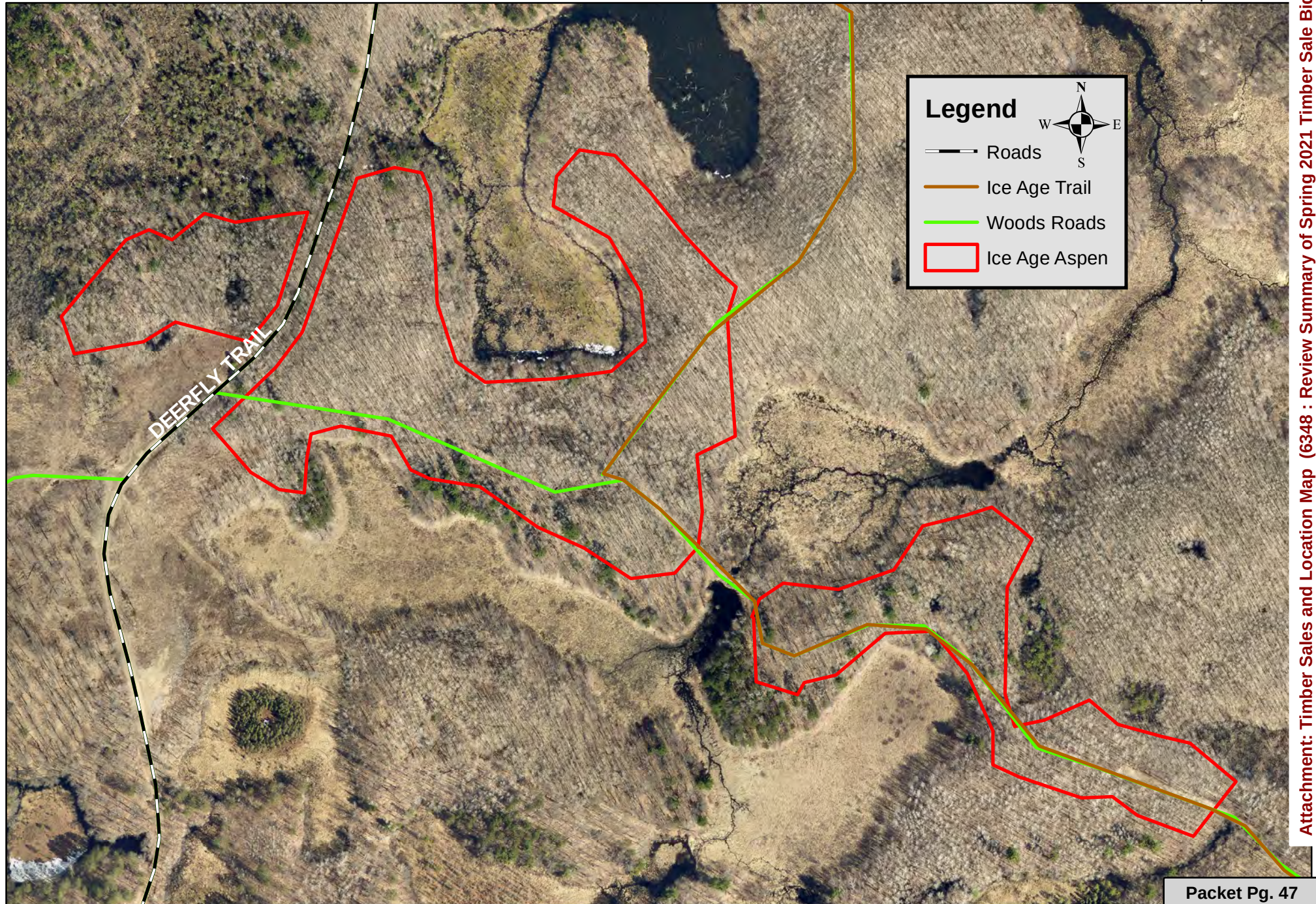
- The contract length is 1 year.
- No harvesting activity will be allowed if rutting occurs. There may be small pockets of wetlands/low areas that can be avoided with caution.
- The Ice Age and Horse Trails will remain open during harvest operations and shall be cleaned of all debris.
- **Do not** cut any oaks that are 10" dbh or smaller, boundary trees or conifers.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All cordwood shall be utilized to a 4" top diameter.
- All slash must lie within two feet of the ground.
- All logging debris must remain within the sale boundaries and kept from wetlands and trails.
- All landing locations must be approved by the county.

Map Located on the Back

Ice Age Aspen

Tract 5-21 approximately 22 acres

Map Not To Scale



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids

SAND LAKE SALE

Located in Sec. 10 T31N - R8W Town of Cleveland

Total Sale Area: (approximately 27 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 6-21 is \$ 8,020.00**

Species	Amount	
	tons	MBF
Oak Cordwood	300	
Mixed Hardwood Cordwood	200	
Red Oak logs		42
Mixed Hardwood logs		3

Sale Area Description: (Please see the sale map on the back of this page)

The boundaries of this sale are marked by a red paint line. This is a selection harvest to manipulate structure and enhance health of northern hardwoods and oak. Canopy gaps will be created in select locations to promote oak regeneration. Conifers present will be retained for seed production to increase the conifer component over time.

Cutting Requirements:

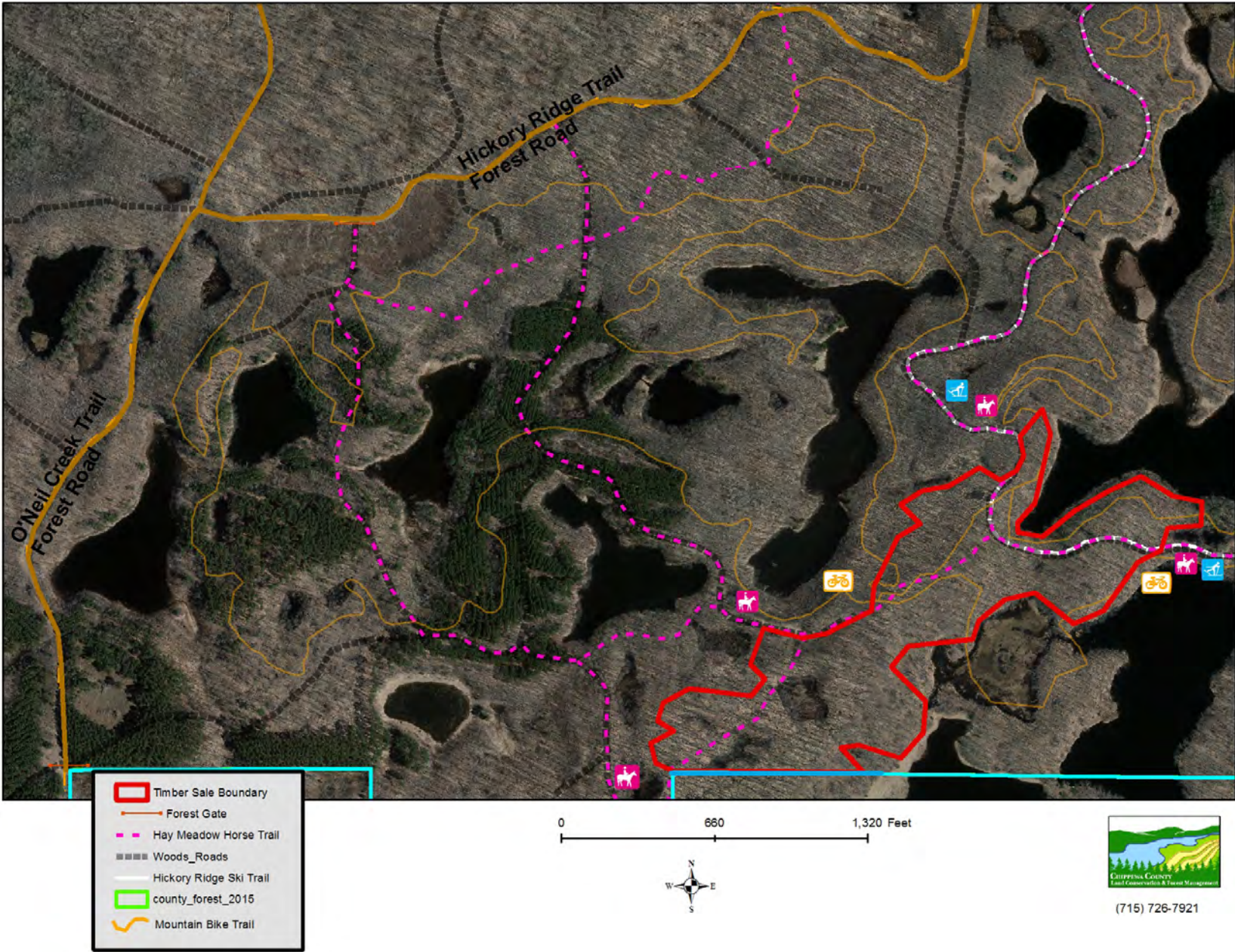
Cut all trees marked with orange paint. Do not cut sale boundary trees (red, blue, or yellow paint). ***Do not cut or damage any conifers.***

Special Conditions:

- **Harvest activity is only permitted from August 10 to December 1. The sale can be actively harvested after December 1 provided there are no operations on or adjacent the Ski Trail.**
- The sale is located adjacent to the Hickory Ridge Trail System (i.e. ski, horse, mountain bike). The trails must be kept free of slash and logging debris and leveled when sale operations are complete.
- The County must approve all landings.
- There are wetlands located within the sale area— a buffer around these wetlands is designated as Riparian Management Zone (RMZ) and are identified by yellow paint. No equipment operation is allowed within the Riparian Management Zones.
- No harvesting activity will be allowed if rutting occurs.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- The contract length is approximately 2 years.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- The site is accessible via woods roads off of the Hickory Ridge Trail County Forest Road or via woods roads off of the O'Neil Creek Trail County Forest Road.

Map is included on the following page.

Sand Lake Thinning w/ Canopy Gaps (approximately 27 acres)
Stand is approximately 0.3 miles south of the Hickory Ridge County Forest Road



CHIPPEWA COUNTY TIMBER SALE TRACT 7-21**Fishpole Lake Drainage Selection Harvest**

Located in Sec. 3 and 10 T31N R8W Town of Cleveland

Total Sale Area: (approximately 45 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 7-21 is \$ 10,000.00.**

Species	Amount	
	Tons	MBF
Mixed Hardwood cordwood*	350	
Oak cordwood	430	
Red Oak logs		49
Mixed Hardwood logs*		6

*Includes all hardwoods other than Oak.

Sale Area Description:

The boundaries of this sale are marked with red paint lines. The topography of this site contains well-drained hills, wetland depressions and a perennial stream running through the timber sale area. Oak and northern hardwoods will be thinned with canopy gaps designed to encourage oak regeneration. The Hay Meadow Horse Trail runs through the stand.

Cutting Requirements:

Selection Harvest Area: Cut all trees marked with orange paint, including marked non-commercial trees. Do not cut sale boundary trees (red paint) or trees that are marked with yellow paint to identify riparian management zones subject to equipment limitations.

Special Conditions:

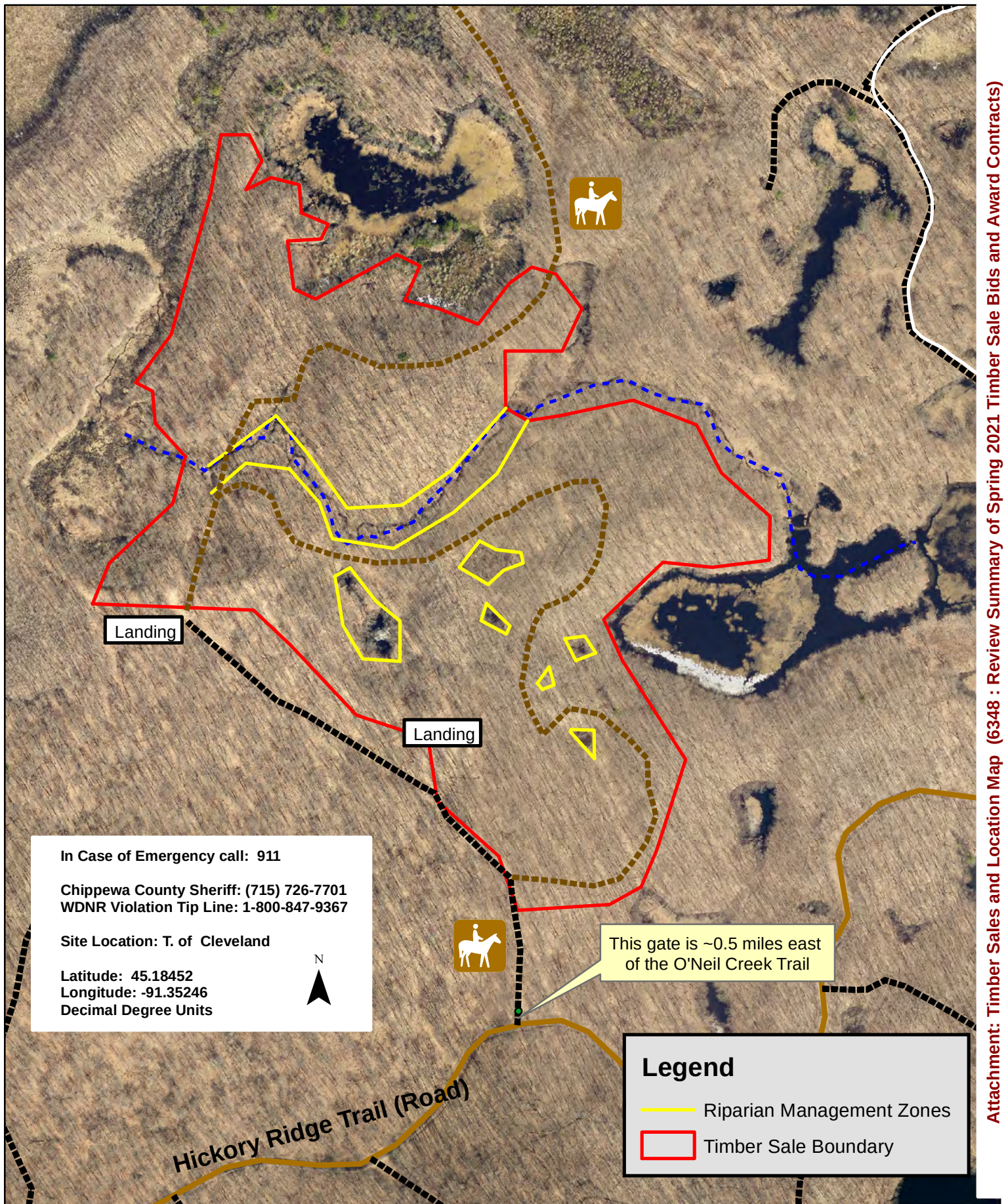
- Oak Wilt and NHI Restrictions apply, no operations are allowed between April 1 and August 10.
- No harvesting activity will be allowed if rutting occurs.
- The sale is located adjacent to the Hay Meadow Horse Trail. Contractors must exercise caution when operating near the trail. The trail must be kept free of slash and logging debris. The horse trail will be marked with ribbon to assist the logging contractor with identification of the trail.
- A temporary crossing of timber mats will be required, the location and installation/removal of mats must be approved by County Staff. The County has timber mats available for use at no charge.
- No equipment operation is allowed within riparian management areas or wetlands. The County has identified these areas with a yellow paint.
- All logging debris must remain within the sale boundaries and kept from wetlands, streams and trails.
- There are two existing landings to facilitate operations.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- The contract length is 2 years.

MAP IS LOCATED ON THE BACK

Tract 7-21 Fishpole Lake Drainage Selection Harvest

6.1.a

Approximately 45 acres



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids and Award Contracts)

MOSES II Northern Hardwood Thinning

Located in Sec. 35 T32N – R7W Town of Birch Creek

Total Sale Area: (approximately 42 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 8-21 is \$ 7,380.00.**

Species	Amount	
	tons	MBF
Mixed Hardwood Cordwood	630	
Aspen Cordwood	260	
Basswood logs		6
Mixed Hardwood logs (all other hardwoods, Approximately 60% Ash)		33

Sale Area Description: (Please see the sale map on the back of this page)

The boundaries of this sale are marked by a red paint line. This is a selective harvest to utilize mature ash prior to infestation by the Emerald Ash Borer, increase structural diversity, promote regeneration of northern hardwoods and release northern hardwood crop trees.

Cutting Requirements:

Cut all trees marked with orange paint. Do not cut sale boundary trees marked with red paint. ***Do not cut or damage any conifers.***

Special Conditions:

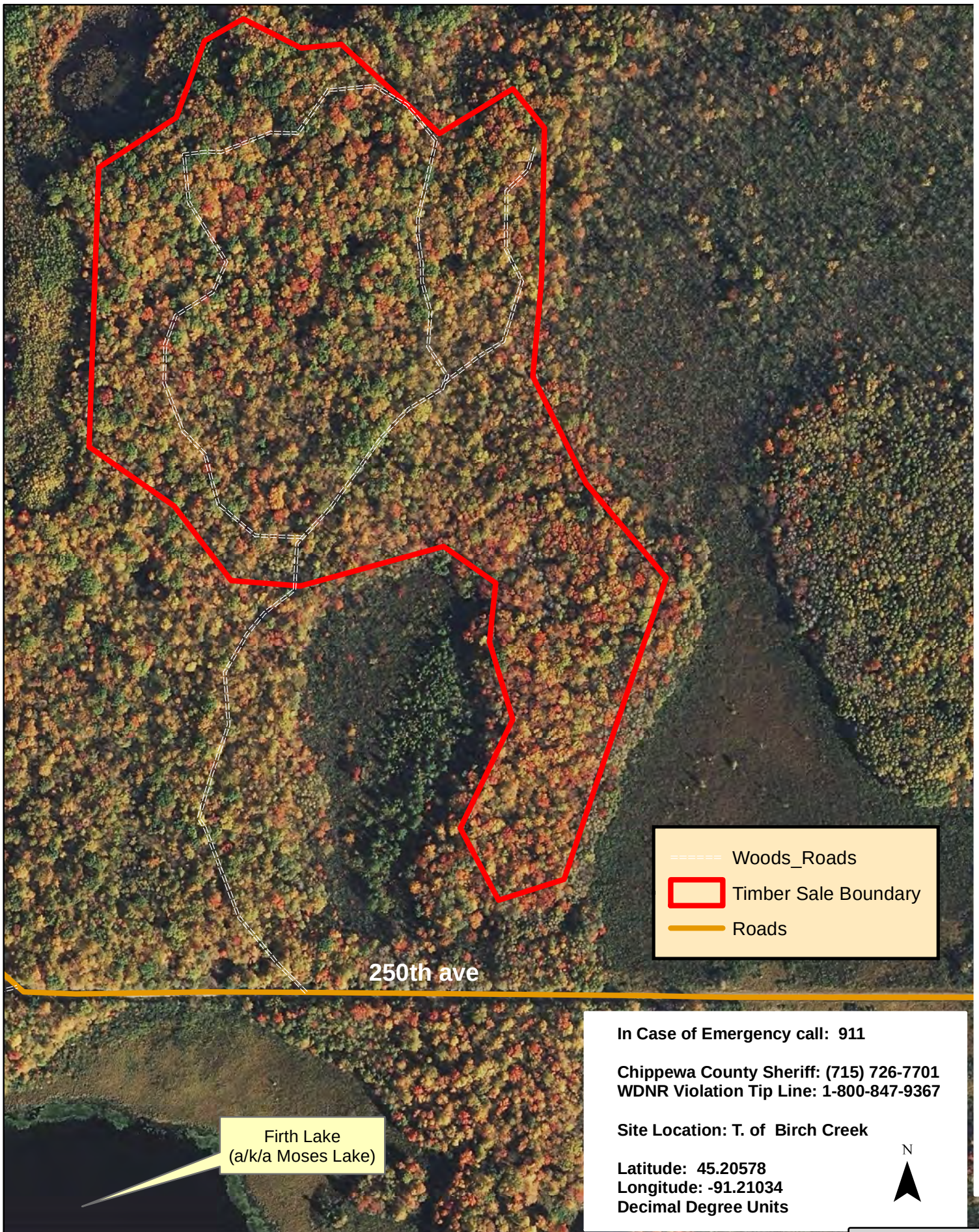
- **Harvest activity is allowed under frozen ground conditions only.**
- The County must approve all landings.
- No harvesting activity will be allowed if rutting occurs.
- Timber mats or corduroy may be required in the site if isolated areas within the site do not become adequately frozen.
- All cordwood shall be utilized to a 4" top diameter.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- The contract length is approximately 2 years.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*

Map is included on the following page.

Tract 8-21 Moses II Northern Hardwood Thinning

6.1.a

Approximately 42 acres



CHIPPEWA COUNTY TIMBER SALE TRACT 9-21**Mallard Flowage Northern Hardwood Thinning**

Located in Sec. 31 T32N – R5W Town of Ruby

Total Sale Area: +/-57 acres

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each product; however **the total minimum bid that is acceptable for Tract 9-21 is \$ 9,000.00.**

Species	Amount	
	tons	MBF
Mixed Hardwood Cordwood	1000	
Mixed Hardwood logs		70

Sale Area Description: (Please see the sale map on the back of this page)

The boundaries of this sale are marked by a red paint line. This is a selective harvest to utilize mature ash prior to infestation by the Emerald Ash Borer, increase structural diversity, promote regeneration of northern hardwoods and release northern hardwood crop trees.

Cutting Requirements:

Cut all trees marked with orange paint. Do not cut sale boundary trees marked with red paint. ***Do not cut or damage any conifers.***

Special Conditions:

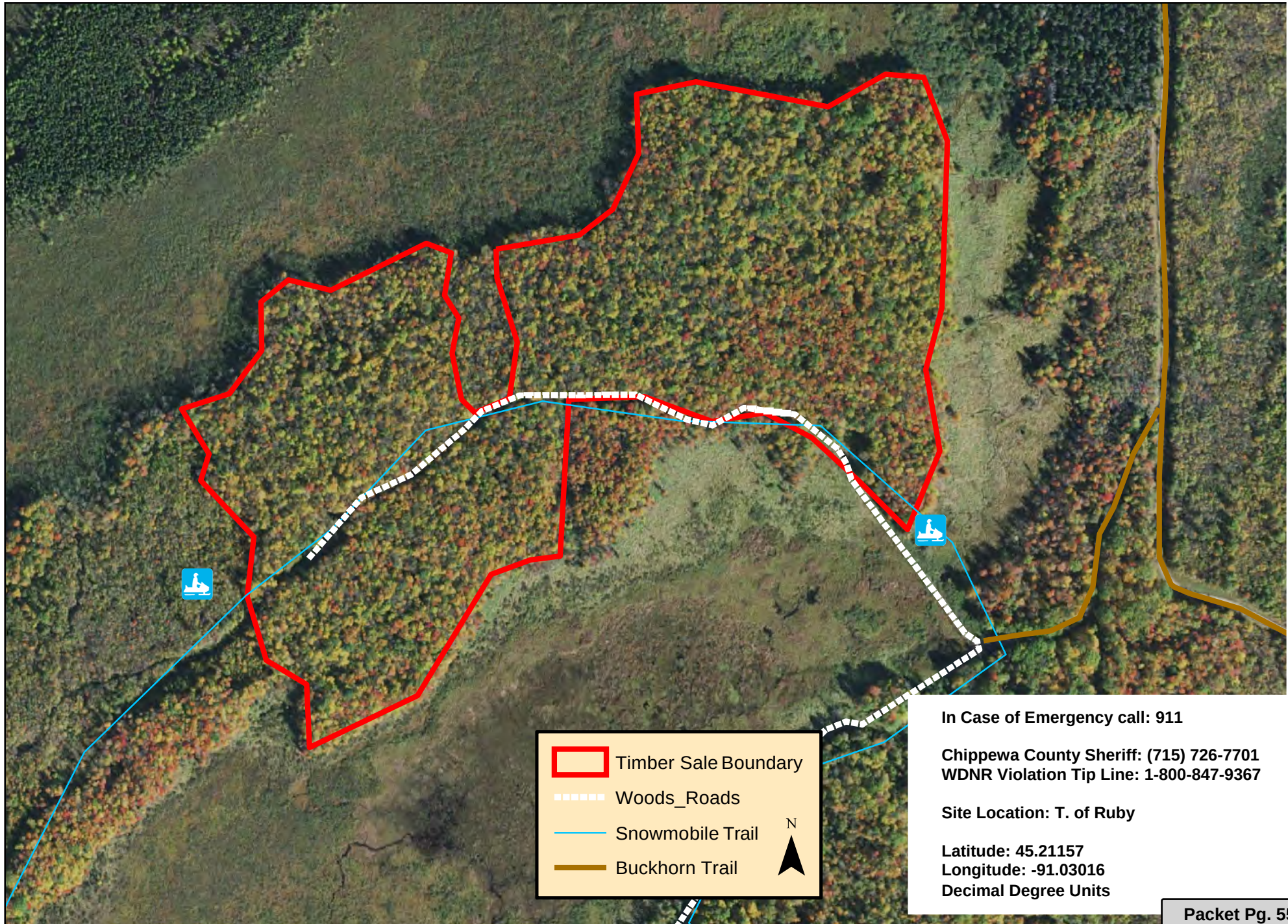
- **Harvest activity is allowed under frozen ground conditions only.**
- The County must approve all landings.
- No harvesting activity will be allowed if rutting occurs.
- Timber mats may be required.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- The contract length is approximately 2 years, including 2 winter seasons, ending March 31, 2023.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor, down logs greater than 12 inches in diameter.*

Map is included on the following page

Tract 9-21 Mallard Flowage Northern Hardwood Thinning

Approximately 57 acres

6.1.a



CHIPPEWA COUNTY TIMBER SALE TRACT 10-21**Tealey Creek Aspen Regeneration**

Located in Sec. 5 and 8 T32N – R7W Town of Birch Creek

Total Sale Area: (approximately 28 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 10-21 is \$ 13,250.00.**

Species	Amount	
	tons	MBF
Aspen Cordwood	1450	
Mixed Hdwd Cordwood	100	

Sale Area Description:

This timber sale is approximately 1 mile west of 300th Ave (a/k/a Maxfield Road) along the Tealey Creek Game Loop. Hauling from this timber sale will utilize the Tealey Game Loop and ATV/Snowmobile Trail to 300th Ave. The boundaries of this timber sale are marked with a red paint line. Portions of the timber sale area and access road are relatively wet and will require frozen ground. The site is flat and the Tealey Creek Game Loop provides open areas that can be utilized for landings.

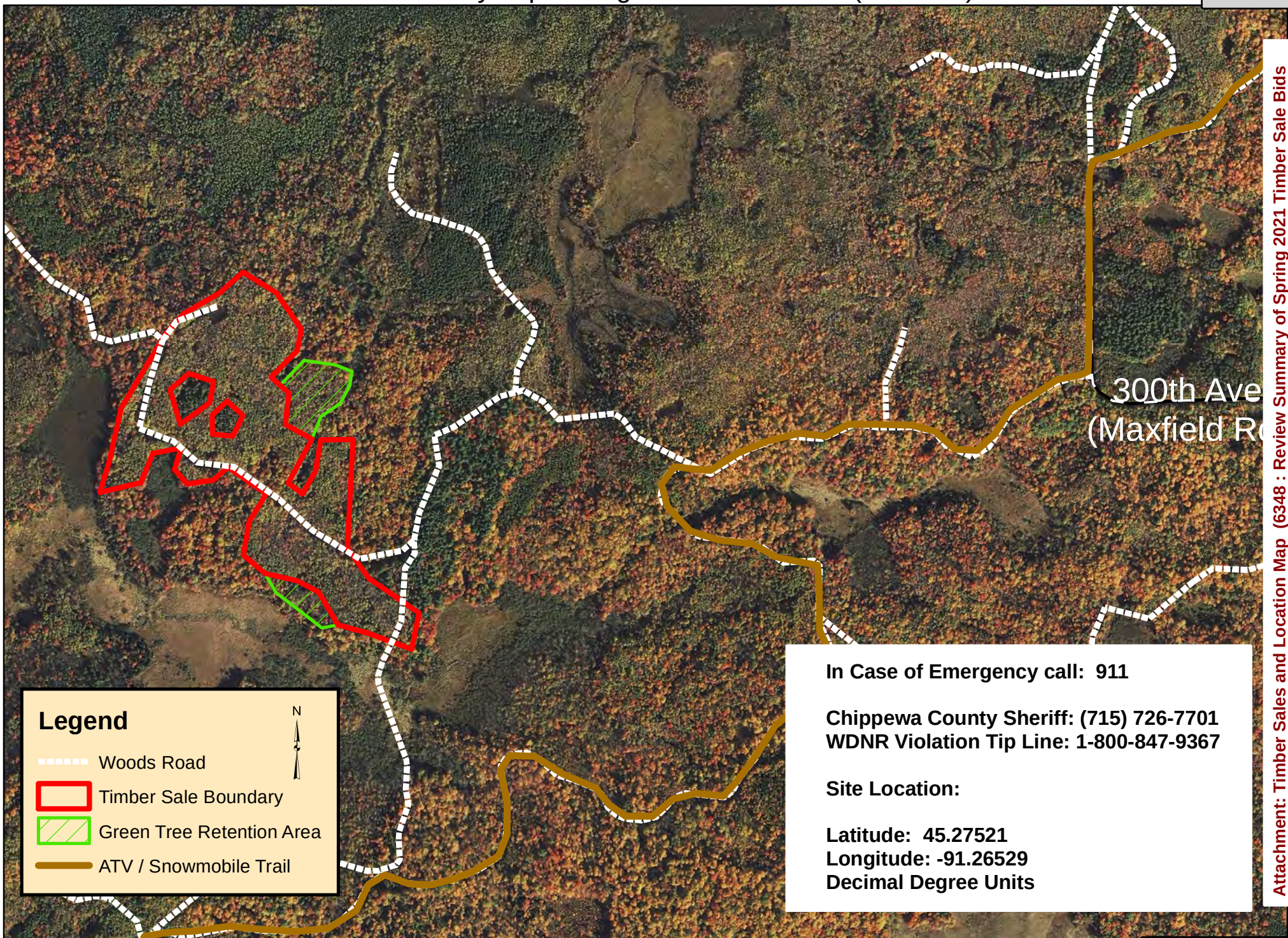
Cutting Requirements:

Aspen Regeneration area: (Approximately 28 acres) Cut all trees one inch in diameter and larger except boundary trees and any trees marked with purple paint. Do not cut any conifers.

Special Conditions:

- **Restricted to Frozen Ground Only**
- All recreational trails will remain open and passable during operation.
- All cordwood shall be utilized to a 4" top diameter.
- The County must approve all landings.
- No harvesting activity will be allowed if rutting occurs.
- All logging debris must remain within the sale boundaries and kept from wetlands and trails.
- The contract length is 2 years.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*

MAP IS LOCATED ON THE FOLLOWING PAGE



Legend

- Woods Road
- Timber Sale Boundary
- Green Tree Retention Area
- ATV / Snowmobile Trail



In Case of Emergency call: 911

Chippewa County Sheriff: (715) 726-7701
WDNR Violation Tip Line: 1-800-847-9367

Site Location:

Latitude: 45.27521
Longitude: -91.26529
Decimal Degree Units

300th Ave
(Maxfield Rd)

CHIPPEWA COUNTY TIMBER SALE TRACT 11-21

Hwy M Snowmobile Trail Ash

(approximately 18 acres)

Located in Section 19, T32N R7W, Town of Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 11-21 is \$ 4,000.00.**

Species	Amount	
	Tons	MBF
Mixed Hdwd cordwood* (4" top)	500	
Mixed Hardwood logs*		30

* 90%+ Black Ash

Sale Area Description:

This sale is approximately 250 feet north of County Highway M and approximately 0.1 miles west of the Deer Fly Trail. The site is accessed from the Snowmobile/ATV Trail.

The purpose of the proposed harvest system is to promote all swamp hardwood species other than ash. The goal is to shift species composition away from ash in preparation for infestation by the Emerald Ash Borer. Red Maple, Yellow Birch, White Pine, Spruce, and Tamarac are examples of residual species desired as a seed source.

The boundaries of this sale are marked with a red paint line. A potential truck turn-around is identified on the attached map.

Cutting Requirements:

Cut all merchantable ash (5" DBH or greater) and aspen trees. **Do not** cut any other species unless necessary for operations and pre-approved by the County. The County may authorize harvesting of select groups of trees outside of the timber sale boundary if needed to accommodate use of a cable skidder or for other reasons relating to site operability.

Special Conditions:

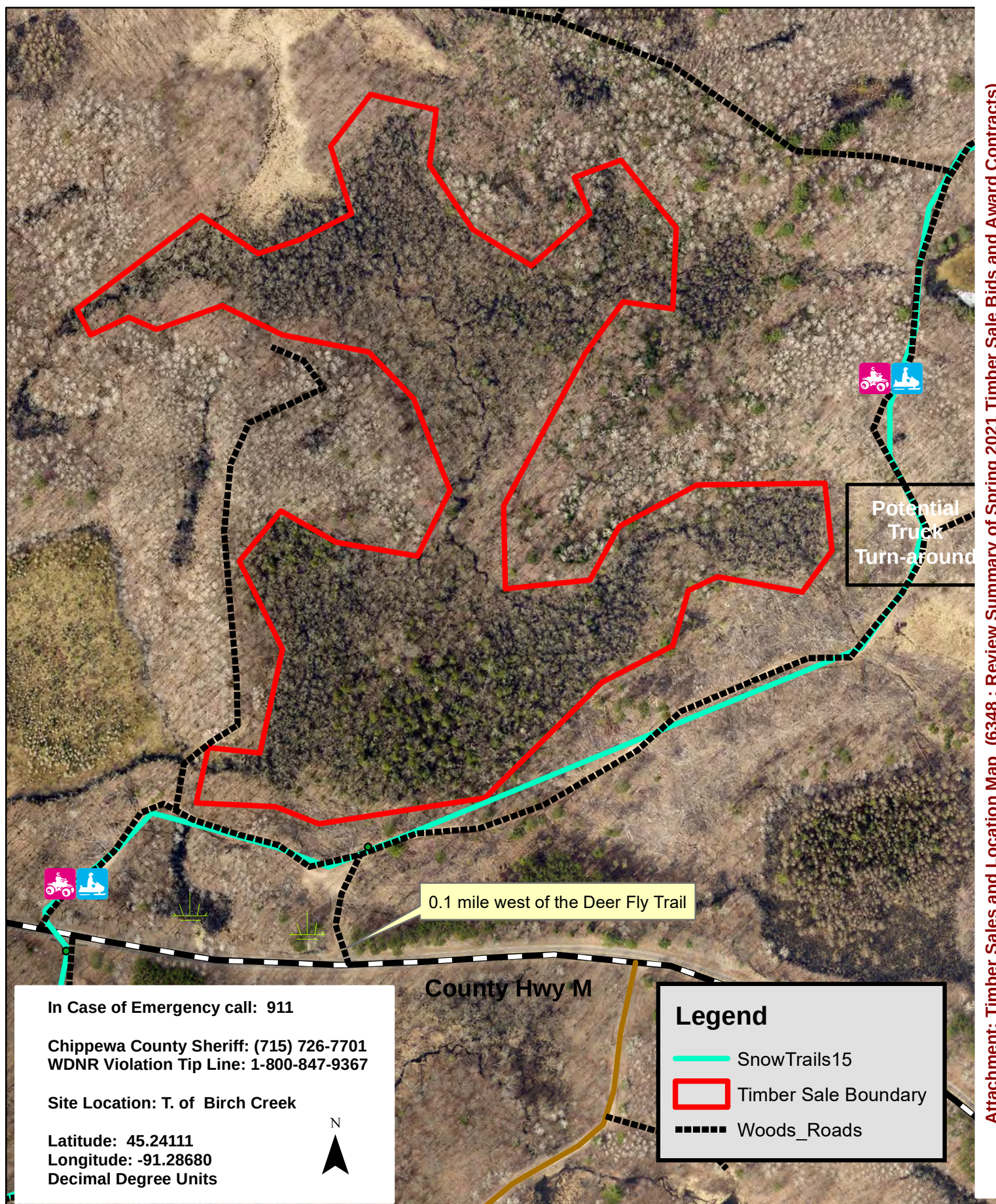
- **Harvest activity is permitted only when frozen ground conditions exist.**
- Timber sale contract will be two years
- Timber mats or other stream crossing BMP's approved by the County may be required. The County's timber mats may be available at no charge (first-come, first-served). Stream crossings shall be minimized.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- All landing locations must be approved.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- All slash must be lopped and scattered to lie within two feet of the ground. All slash and logging debris must remain within the sale boundaries and off of the snowmobile/ATV trail.

MAP ON BACK

Tract 11-21 Hwy M Snowmobile Trail Ash Harvest

6.1.a

Approximately 18 acres



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids and Award Contracts)

CHIPPEWA COUNTY TIMBER SALE TRACT 12-21**Ash Hill**

(approximately 20 acres)

Located in Section 31, T32N R7W, Section 36, T32N R8W Town of Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 12-21 is \$ 3,100.00.**

Species	Amount	
	Tons	MBF
Mixed Hdwd cordwood (4" top) (4600 lbs/cord)	400	
Mixed Hardwood logs		23

Sale Area Description:

The purpose of the proposed harvest system is to promote all swamp hardwood species other than ash. The goal is to shift species composition away from ash in preparation for infestation by the Emerald Ash Borer. Red Maple, Yellow Birch, White Pine, Spruce, and Tamarac are examples of residual species desired as a seed source.

The boundaries of this sale are marked with a red paint line. The most likely access is from the north off of the Deer Fly Trail, although the County would also be agreeable to decking along the High Ridge Trail. These are permanent county forest roads that are not normally plowed in winter and cross several hills. For the purposes of this timber sale, the County will clear snow from the Deer Fly and High Ridge Trails one-time at the beginning of the sale. The contractor will be responsible for all additional snow plowing. In the event that the contractor completes the sale over multiple winters, the contractor will be responsible for all snow plowing beyond the first year.

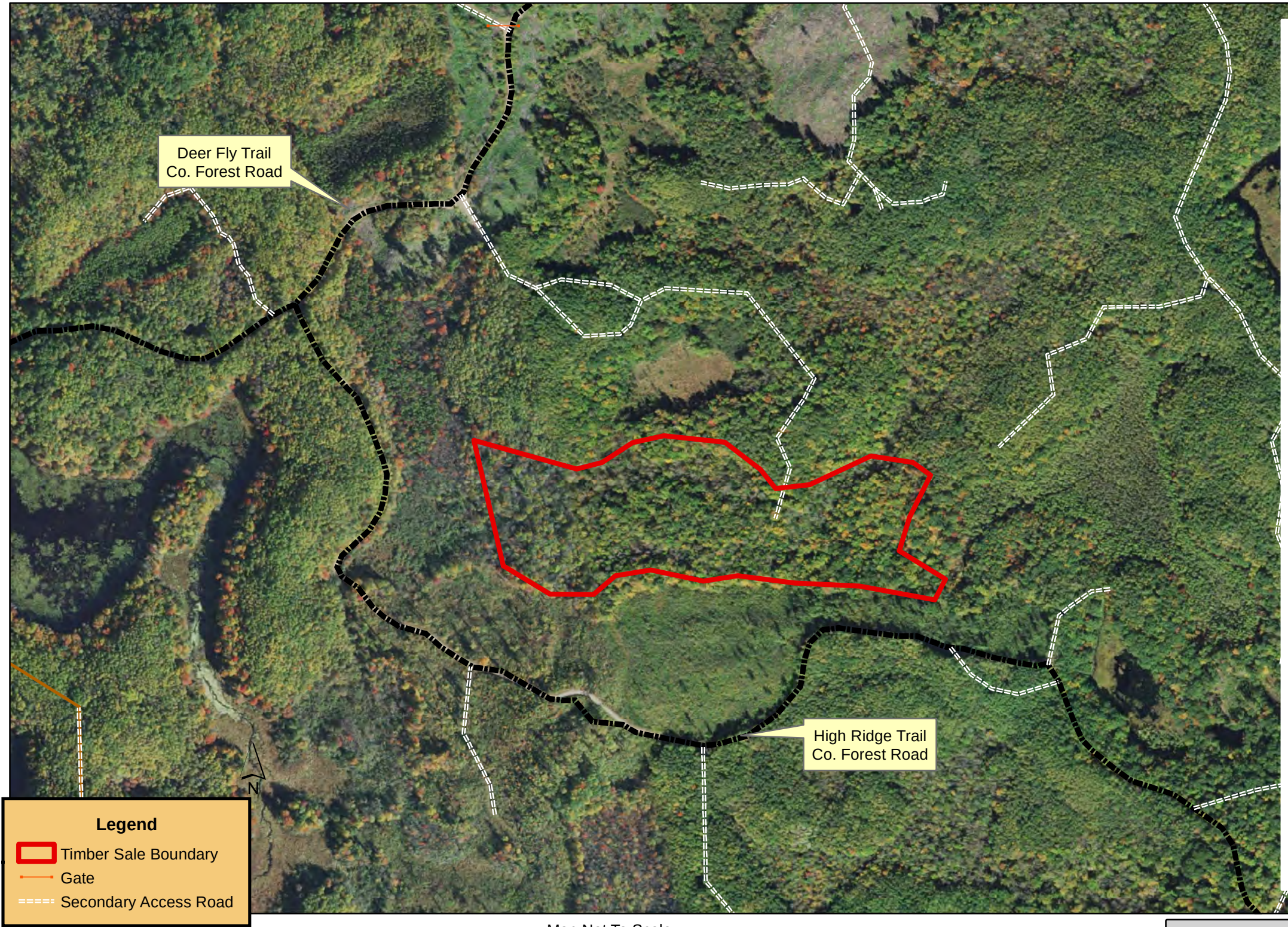
Cutting Requirements:

Cut all merchantable ash (5" DBH or greater) and aspen trees. **Do not** cut any other species unless necessary for operations and pre-approved by the County. The County may authorize harvesting of select groups of trees outside of the timber sale boundary if needed to accommodate use of a cable skidder or for other reasons relating to site operability.

Special Conditions:

- **Harvest activity is permitted only when frozen ground conditions exist.**
- The contract length is 2 years.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- All landing locations must be approved.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- All slash must be lopped and scattered to lie within two feet of the ground.

MAP ON BACK



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids and

CHIPPEWA COUNTY TIMBER SALE TRACT 13-21

Ruby 330th Hardwoods Thinning

Located in Sec. 28 T32N R5W Town of Ruby

Total Sale Area: (approximately 35 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 13-21 is \$ 4,730.00.**

Species	Amount	
	Tons	MBF
Mixed Hardwood cordwood	360	
Oak cordwood	180	
Oak logs		25
Mixed Hardwood logs		14

Sale Area Description:

The boundaries of this sale are marked with red and blue paint lines. This is a northern hardwood stand that is approximately 35 acres and will be thinned to include creation of canopy gaps designed to extend the rotation of the existing stand and create pockets of oak and northern hardwood regeneration. There are riparian management zones within the site. The site can be accessed via 330th Street. This site should not require frozen ground.

Cutting Requirements:

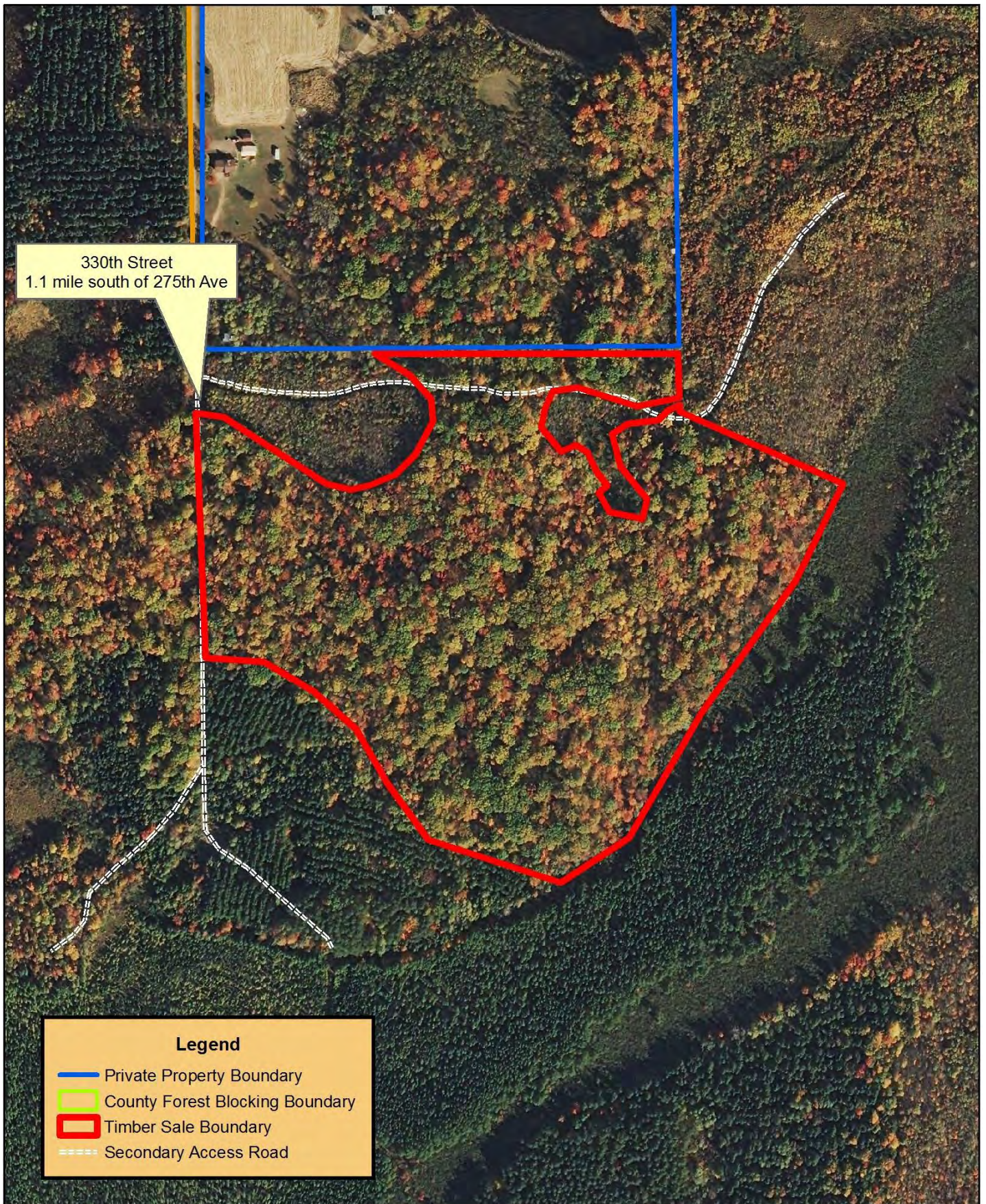
Selection Harvest Area : Cut all trees marked with orange paint, including non-commercial trees marked with orange paint. Do not cut sale boundary trees (red paint) or trees that are marked with yellow paint to identify riparian management zones subject to equipment limitations.

Special Conditions:

- No harvesting activity will be allowed if rutting occurs.
- Oak Wilt Restrictions apply, no harvesting operation is allowed within the site between April 1 and July 15.
- The access road must be kept free of slash and logging debris and leveled when sale operations are complete.
- No equipment operation is allowed within 15' of wetland areas.
- All logging debris must remain within the sale boundaries and kept from wetlands.
- All landing locations must be approved by the County.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- The contract length is 2 years.

MAP IS LOCATED ON THE BACK

Ruby 330th Hardwood Thinning on~ 35 acres - Tract 13-21 -Section 28 T32N R5W



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids and Award Contracts)

CHIPPEWA COUNTY TIMBER SALE TRACT 14-21

RUBY HARDWOOD Resale

Located in Sec. 1 T31N R6W and Sec. 36 T32N R6W, Town of Ruby Total Sale Area: (approximately 137 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 14-21 is \$ 29,045.00.**

Species	Amount	
	tons	MBF
Mixed Hdwd cordwood	2300	
Oak cordwood	530	
Basswood cordwood	125	
Aspen cordwood	75	
Red Oak logs		90
Ash logs		48
Mixed Hardwood logs		27
Basswood logs		13

Sale Area Description:

The boundaries of this sale are marked with red and blue paint lines. A Northern Hardwood stand that is approximately 125 acres will be thinned to maintain forest health. The eastern portion of the sale (approx. 12 acres) is an overstory removal to release advanced regeneration of oak, promote oak stump sprouts, and regenerate pockets of aspen.

An adjoining landowner has agreed to allow access between the timber sale and County Highway W. The logging contractor shall minimize damage to private access and make repairs to the landowner's satisfaction, if necessary.

Cutting Requirements:

Selection Harvest: Cut all trees marked with orange paint, including non-commercial trees marked with orange paint. Do not cut sale boundary trees that are marked with red or blue paint.

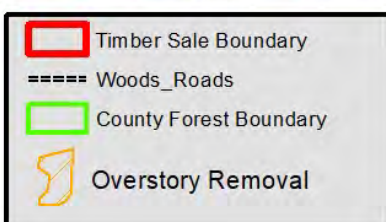
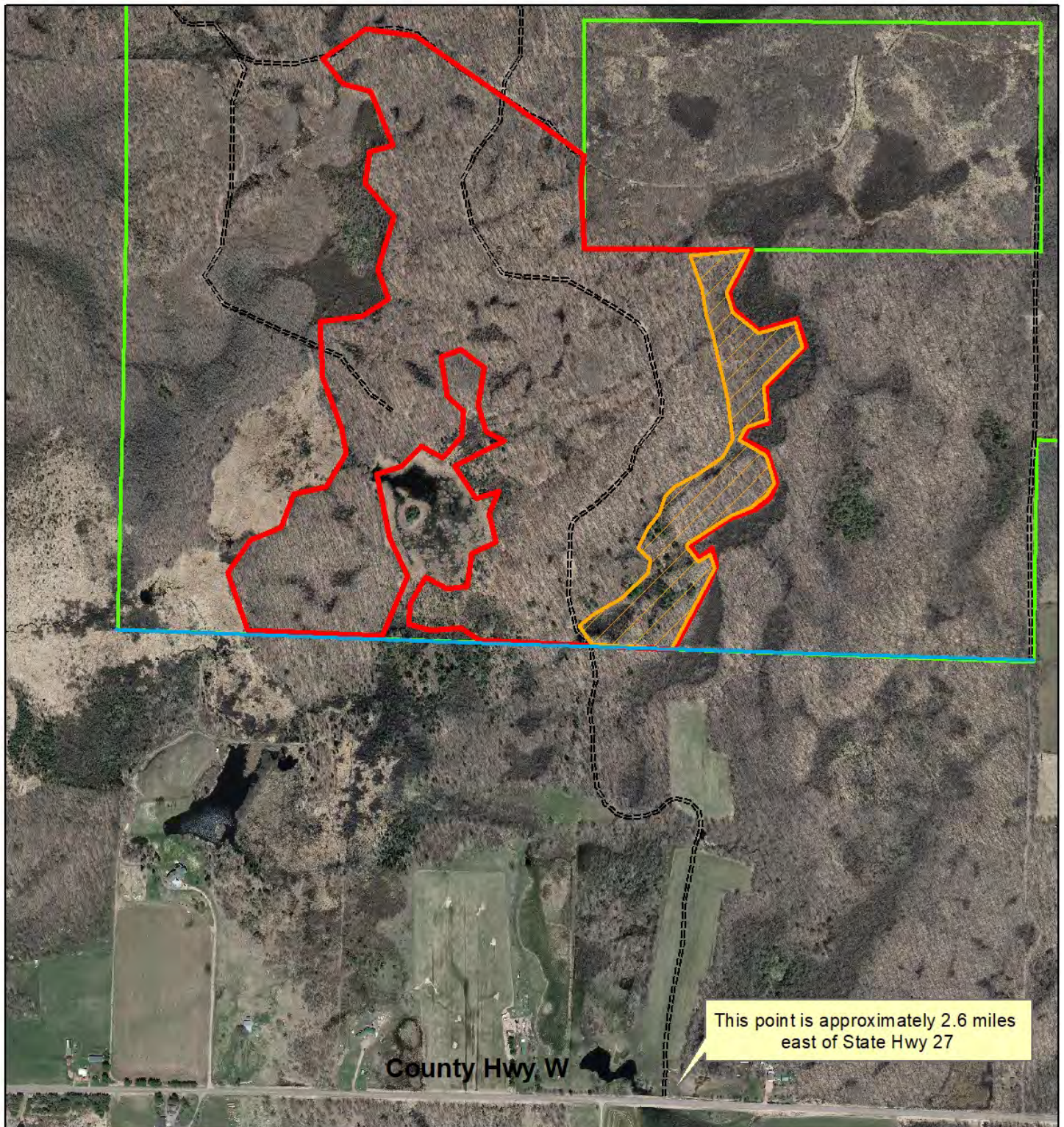
Overstory Removal Area: Cut all trees >1", except boundary trees marked with red or blue paint.

Special Conditions:

- This sale must be harvested under **FROZEN GROUND CONDITIONS.**
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- All landing locations must be approved. All merchantable timber that is removed along landings or skid trails must be utilized and accounted for through mill slips or log scales.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.

MAP IS LOCATED ON THE BACK

Ruby Hardwood Thinning (125 acres) with Overstory Removal (12 acres)



0 660 1,320 Feet



(715) 726-7921

Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids and Award Contracts)

CHIPPEWA COUNTY TIMBER SALE TRACT 15-21

NEW ATV HARDWOOD Sale

Located in Sections 3 and 4, T31N R7W and Section 33, T32N R7W,

Total Sale Area: (approximately 50 acres)

Towns of Cleveland and Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 15-21 is \$ 10,940.00**

Species	Amount	
	tons	MBF
Mixed Hdwd cordwood* (4" top) (4600 lbs/cord)	570	
Oak cordwood (4" top) (5500 lbs/cord)	350	
Aspen cordwood (4" top) (4500 lbs/cord)	500	
Red Oak logs		25
Mixed Hardwood logs		6

Sale Area Description:

The boundaries of this sale are marked with red paint lines. A Northern Hardwood stand that is approximately 43 acres will be thinned to maintain forest health. The eastern stands consist of approximately 7 acres of Aspen that will be regenerated by clearcut. The site is accessed by a permanent secondary road off of the Moon Ridge Trail.

The Ice Age National Scenic Trail borders the sale in the northwestern region and crosses the access road. The County Forest ATV Trail travels through the sale boundary. Both trails will remain open for public use during timber sale operations and must remain completely free of logging debris and passable. Decking along the ATV Trail is allowed provided that the trail remains passable. The County will be responsible for signage.

Cutting Requirements:

Selection Harvest: Cut all trees marked with orange paint, including non-commercial trees marked with orange paint. Do not cut sale boundary trees that are marked with red paint.

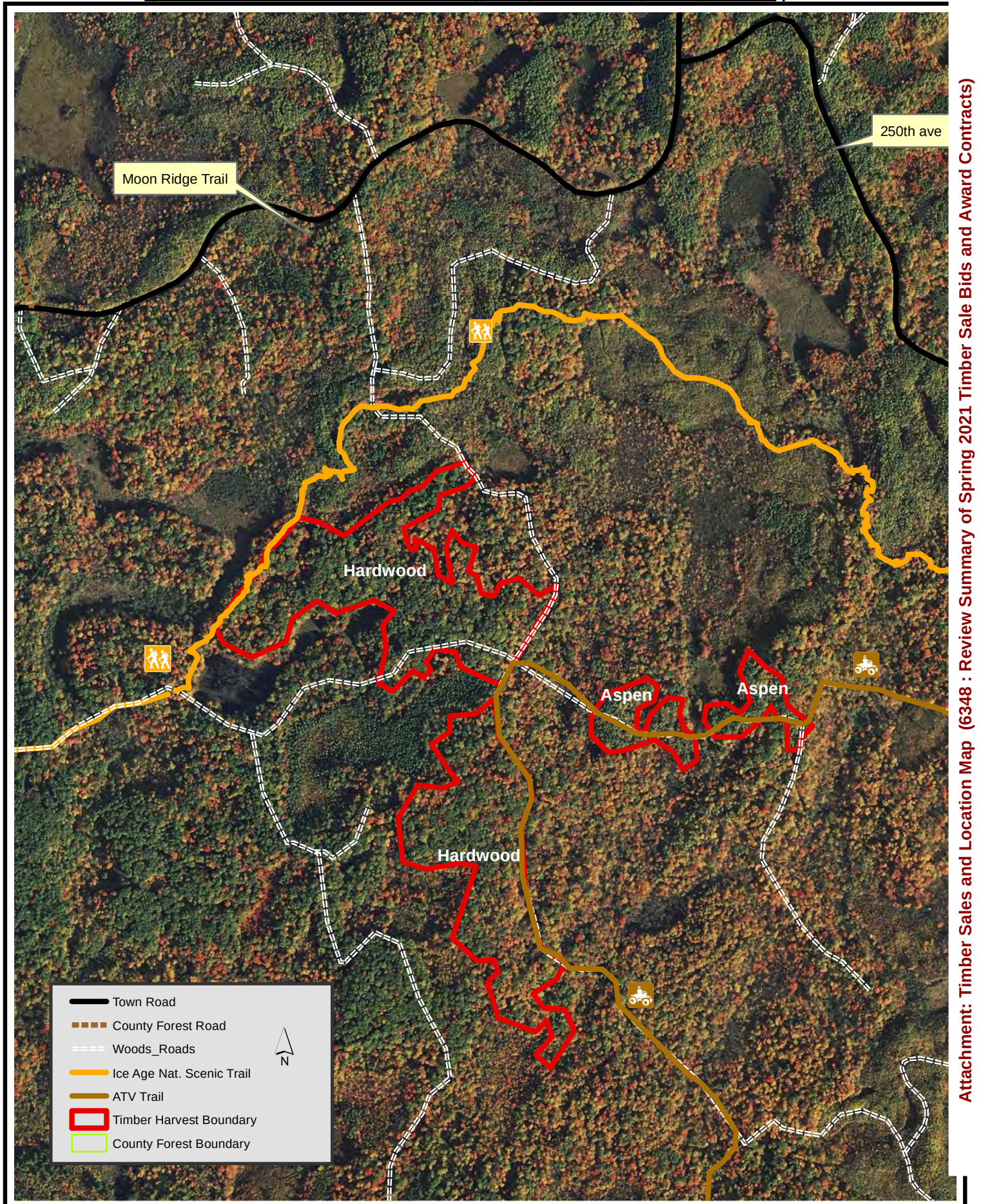
Clearcut area: Cut all trees one inch in diameter and larger. **Do not** cut any trees marked with paint, conifers, White Oak, or Red Oaks that are 10" dbh or smaller. The boundaries of the sale are marked with red paint.

Special Conditions:

- **Harvest activity is prohibited between April 1 and July 15 due to oak wilt restrictions.**
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- All landing locations must be approved. All merchantable timber that is removed along landings or skid trails must be utilized and accounted for through mill slips or log scales.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- The contract length is 2 years.

MAP IS LOCATED ON THE BACK

Tract 15-21 New ATV Hardwoods
(43 acres of Northern Hardwood Thinning) and (7 acres of Aspen Regeneration)



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids and Award Contracts)

CHIPPEWA COUNTY TIMBER SALE TRACT 16-21**O'NEIL HARDWOODS Sale**

Located in Sections 3 and 4 T31N R8W Town of Cleveland

Total Sale Area: (approximately 40 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 16-21 is \$ 12,665.00.**

Species	Amount	
	tons	MBF
Mixed Hdwd cordwood	520	
Oak cordwood	410	
Red Oak logs		47
Other Oak logs		7
Ash logs		8
Mixed Hardwood logs		5
Basswood logs		18

Sale Area Description:

The boundaries of this sale are marked with red paint lines. A Northern Hardwood stand that is approximately 40 acres will be thinned to maintain forest health.

Cutting Requirements:

Selection Harvest: Cut all trees marked with orange paint, including non-commercial trees marked with orange paint. Do not cut sale boundary trees that are marked with red paint.

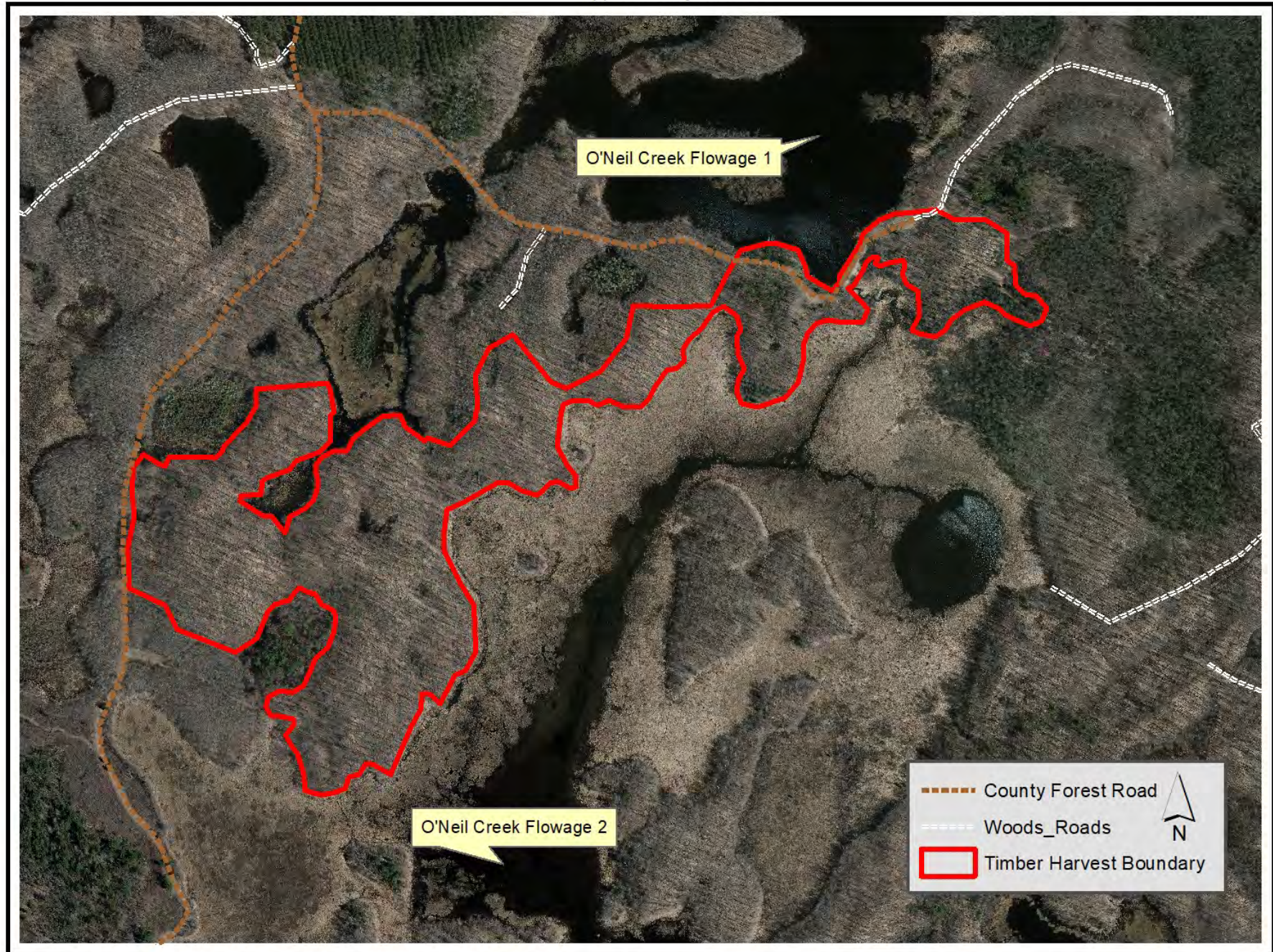
Special Conditions:

- **Harvest activity is prohibited between April 1 and August 10 due to Oak Wilt & NHI restrictions.**
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- All landing locations must be approved. All merchantable timber that is removed along landings or skid trails must be utilized and accounted for through mill slips or log scales.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- Yellow paint marks the restriction of equipment operation around RMZs or wetlands.

MAP IS LOCATED ON THE BACK

T. of Cleveland: Compartment 38 Stands 2 and 35: Oak and Northern Hardwood Thinning

Approximately 40 acres



NORTH BRADLEY LAKE OAK

Located in Sec. 10 T32N - R8W Town of Sampson

Total Sale Area: (approximately 63 acres)

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 17-21 is \$ 20,680.00.**

Species	Amount	
	tons	MBF
Oak cordwood (5500 lbs per cord)	1000	
Mixed Hardwood cordwood (4700 lbs per cord)	1300	
Red Oak logs		93
Mixed Hardwood logs		12

Please Note: Cordwood weight conversion factors are as listed in the DNR Timber Sale Handbook.

Sale Area Description: (Please see the sale map on the back of this page)

The boundaries of this sale are marked with red and blue paint line. There is ~49 acres of oak shelter wood harvest to promote oak regeneration with an eventual overstory removal in the future once regeneration is established. There is also ~14 acres of selection harvest to promote oak, while maintaining at least 60 ft² of basal area within 100 feet of Bradley Lake.

Cutting Requirements:

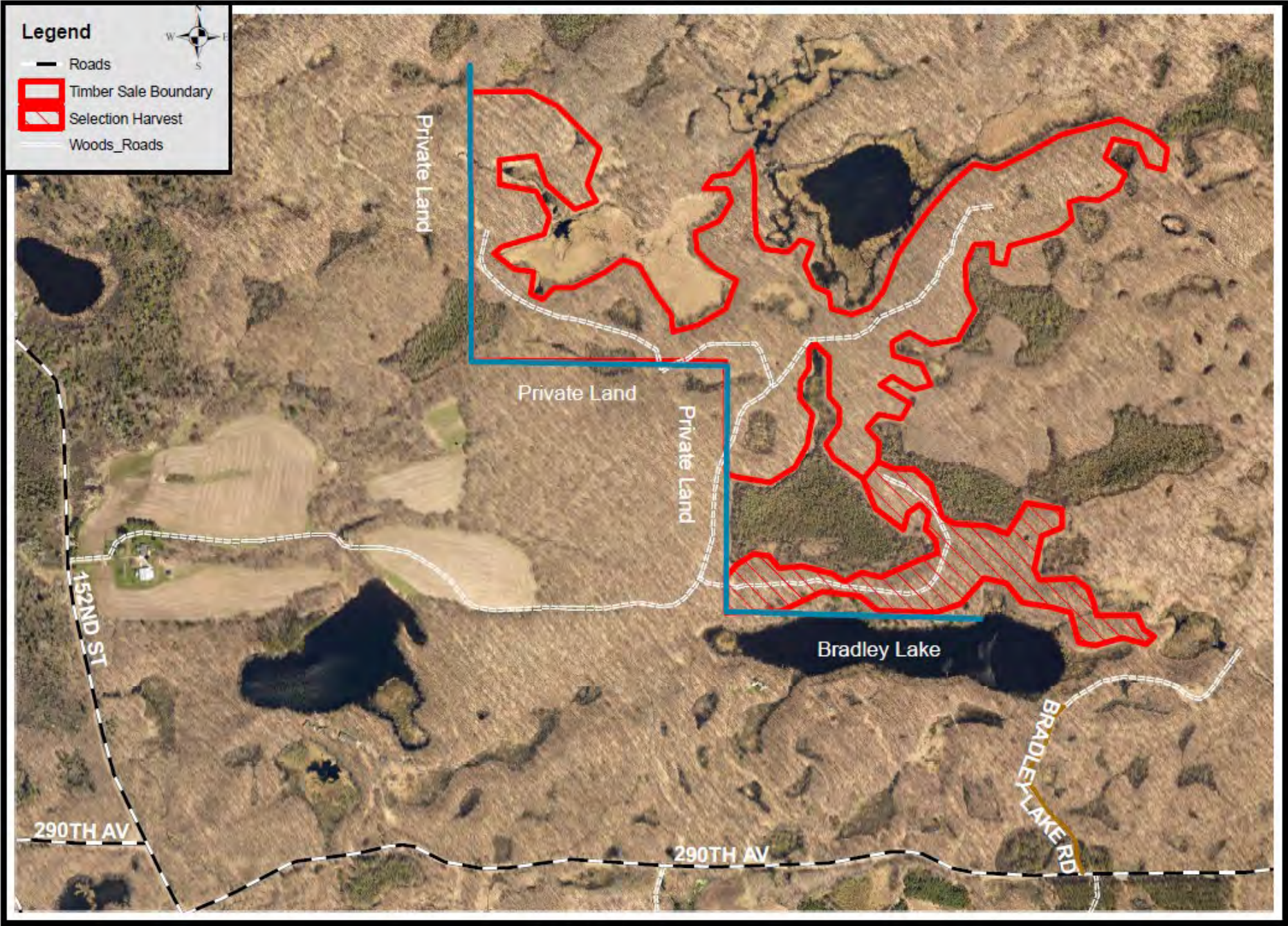
Shelter wood area: Cut all trees except those marked with purple paint. All non-commercial trees (1 to 5 inch DBH), except oak saplings, must be cut concurrently with harvest. Do not cut sale boundary trees (red, or blue paint) or RMZ trees (yellow paint). Scarification by harvest operations is encouraged. **Do not cut or damage any pine or spruce.**

Thinning area: Cut only and all trees marked with orange paint including non-commercial trees marked with orange paint. Do not cut sale boundary trees (red, or blue paint) or RMZ trees (yellow paint). All aspen and birch are designated for harvest, within this area, and must be cut.

Special Conditions:

- **Oak Wilt and NHI Restrictions Apply: No harvest operations allowed between April 1 and August 10.**
- Wetlands (RMZ's) are delineated with yellow paint – no heavy equipment operation within the yellow paint lines.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- No harvesting activity will be allowed if rutting occurs.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- All slash must be lopped and scattered to lie within two feet of the ground. All slash and logging debris must remain within the sale boundaries and kept from wet lands, lakes and trails.
- The contract length is 2 years.
- Access to the sale is from 152nd Street (a/k/a Sand Lake Road) through an easement on private land.

Tract 17-21 ~ 49 acres of Oak Shelterwood and ~14 acres of Selection Harvest



Map Not To Scale

Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids

CHIPPEWA COUNTY TIMBER SALE TRACT 18-21**Firth Lake Ash**

(approximately 37 acres)

Located in Section 25, T32N R7W, Town of Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 18-21 is \$ 5,700.00.**

Species	Amount	
	Tons	MBF
Mixed Hdwd cordwood* (4" top) (4600 lbs/cord)	700	
Mixed Hardwood logs*		43

* 90%+ Black Ash

Sale Area Description:

The purpose of the proposed harvest system is to promote all swamp hardwood species other than ash. The goal is to shift species composition away from ash in preparation for infestation by the Emerald Ash Borer. Red Maple, Yellow Birch, White Pine, Spruce, and Tamarac are examples of residual species desired as a seed source.

The boundaries of this sale are marked with red and blue paint line. A recent clearcut to the south of this stand provides relatively-decent, frozen ground access to the site. All clearing and grading required to accommodate hauling is the responsibility of the contractor and must be pre-approved by the County.

Cutting Requirements:

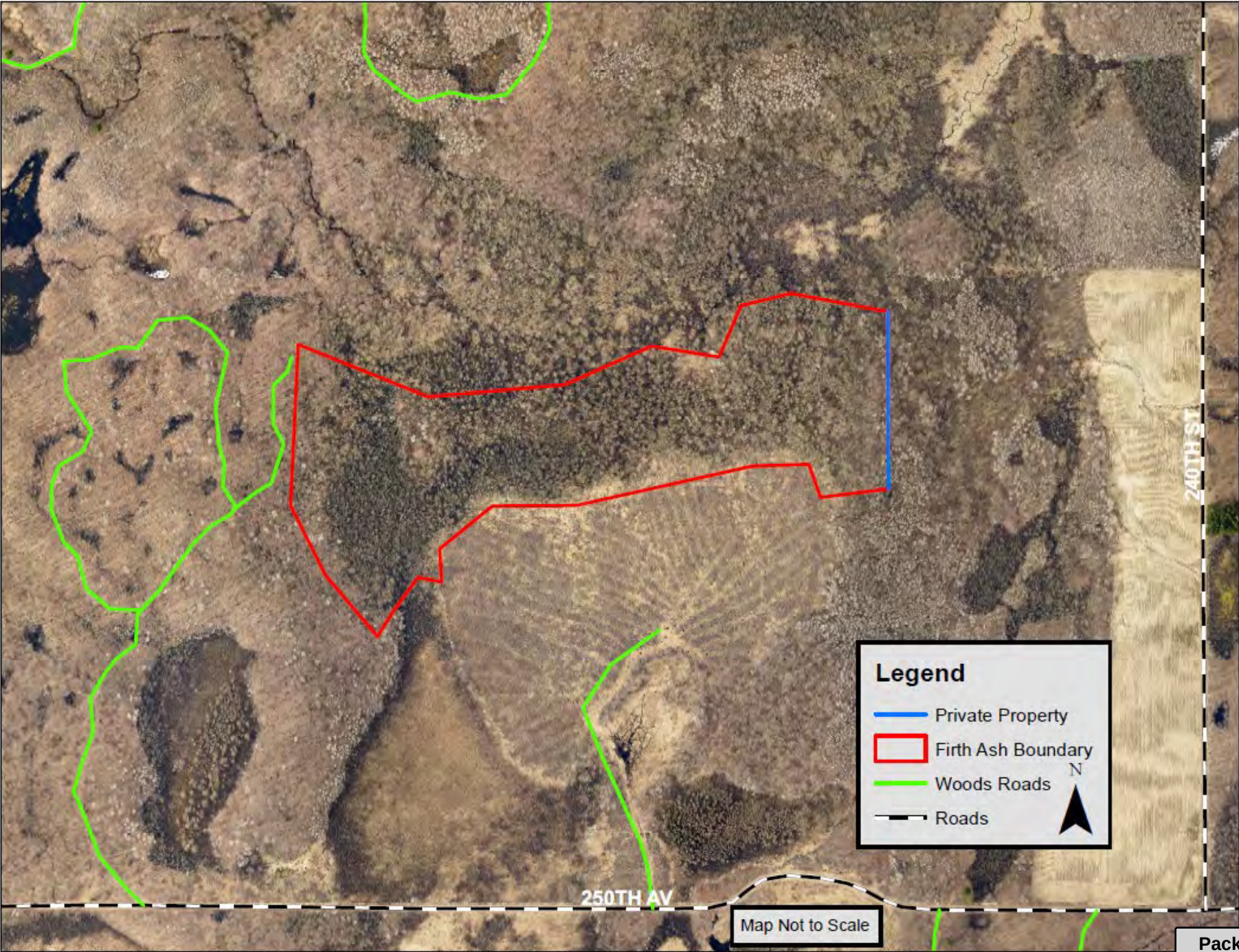
Cut all merchantable ash (5" DBH or greater) and aspen trees. **Do not** cut any other species unless necessary for operations and pre-approved by the County. The County may authorize harvesting of select groups of trees outside of the timber sale boundary if needed to accommodate use of a cable skidder or for other reasons relating to site operability.

Special Conditions:

- **Harvest activity is permitted only when frozen ground conditions exist.**
- The contract length is approximately 2 years.
- Timber mats or other stream crossing BMP's approved by the County may be required. The County's timber mats may be available at no charge (first-come, first-served). Stream crossings shall be minimized.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All landing locations must be approved.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.

MAP ON BACK

Tract 18-21 Firth Ash Removal ~37 acres



CHIPPEWA COUNTY TIMBER SALE TRACT 19-21**Maxfield Clearcut Sale**

Located in T32N R7W Section 9, Town of Birch Creek

Total Sale Area: +/- 53 acres

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species however **the total minimum bid that is acceptable for Tract 19-21 is \$16,980.00.**

Species	Amount		
	cords	tons	MBF
Mixed Hardwood pulp (4600 lbs per cord)		2400	
Aspen pulp (4500 lbs per cord)		1000	
Balsam Fir pulp (4250 lbs per cord)		200	
Red Oak sawlogs			8
Mixed Hardwood sawlogs			7

Sale Area Description:

The boundaries of this sale are marked with red paint lines. In order to regenerate the timber type this area will be clearcut to promote a coppice of aspen.

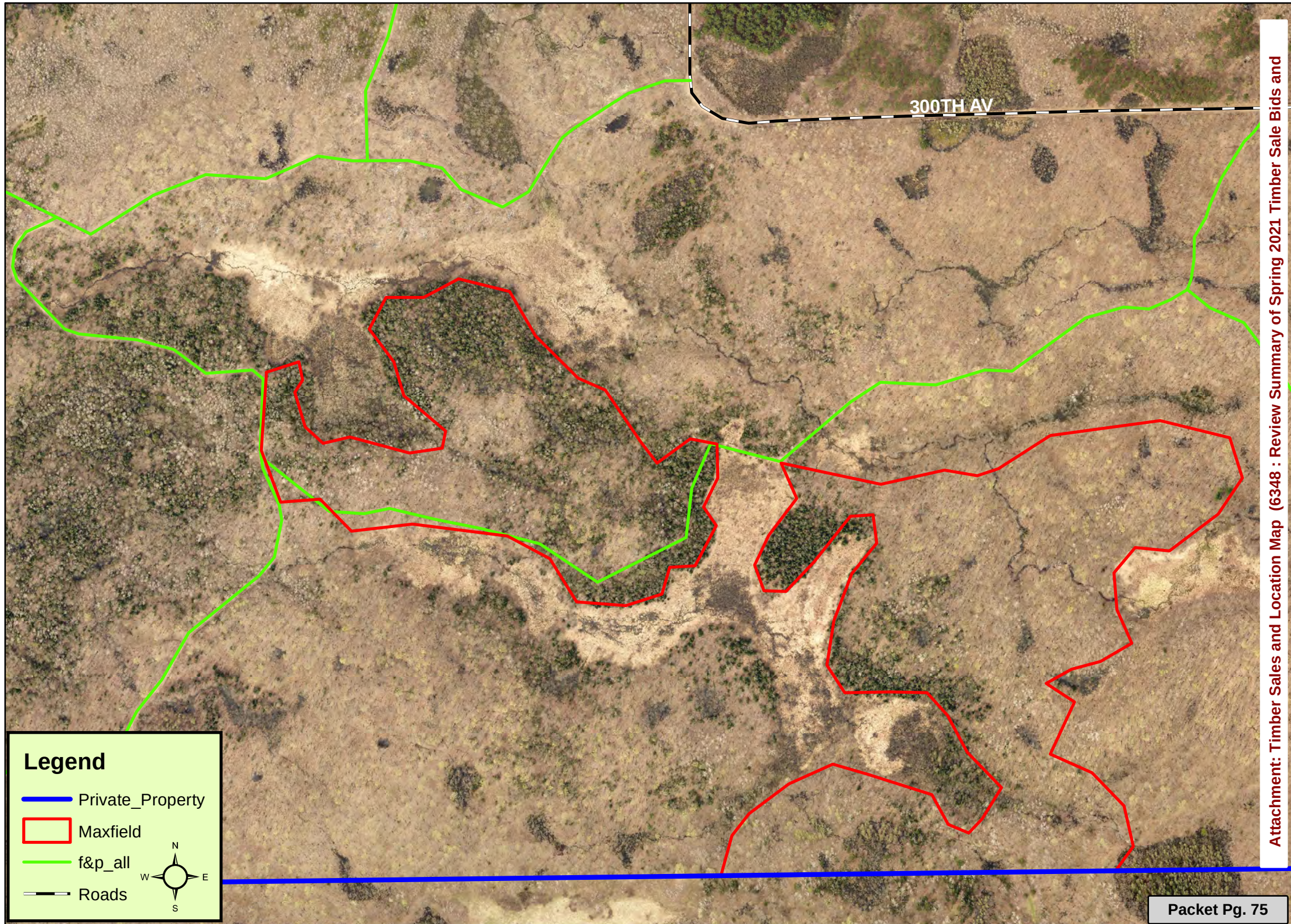
Cutting Requirements:

Clear-cut Area: Cut all trees one inch in diameter and larger. **Do not** cut any trees marked with paint or red or white pine Red (boundary), Yellow (riparian management zones), or Purple (leave trees). The boundaries of the sale are marked with red paint.

Special Conditions:

- Sale operations are limited to **frozen ground conditions** only.
- No harvesting activity will be allowed if rutting occurs.
- Yellow paint delineates equipment restriction around wetland areas.
- Red (boundary), Yellow (riparian management zones), or Purple (leave trees).
- All logging debris must remain within the sale boundaries and kept from wetlands, lakes and trails.
- All recreational trails shall remain passable to users and free of slash during sale operations.
- All landing locations must be approved. All merchantable timber that is removed along landings or skid trails must be utilized and accounted for through mill slips or log scales.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.
- The contract length is 2 years.

MAP IS LOCATED ON THE BACK



CHIPPEWA COUNTY TIMBER SALE TRACT 20-21**Ol Misty Aspen**

(approximately 54 acres)

Located in T32N R7W Sections 19 and 20, Town of Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 20-21 is \$ 28,320.00.**

Species	Amount	
	Tons	MBF
Aspen cordwood	3040	
Mixed Hdwd cordwood	480	

Sale Area Description:

This sale will be a clear-cut to coppice the aspen in the stand. The boundaries of this sale are marked with red paint line. Sale is accessed north of Hwy M, part of the sale is on the ATV trail and part of the sale lies directly north of the highway. The County will be responsible for signage.

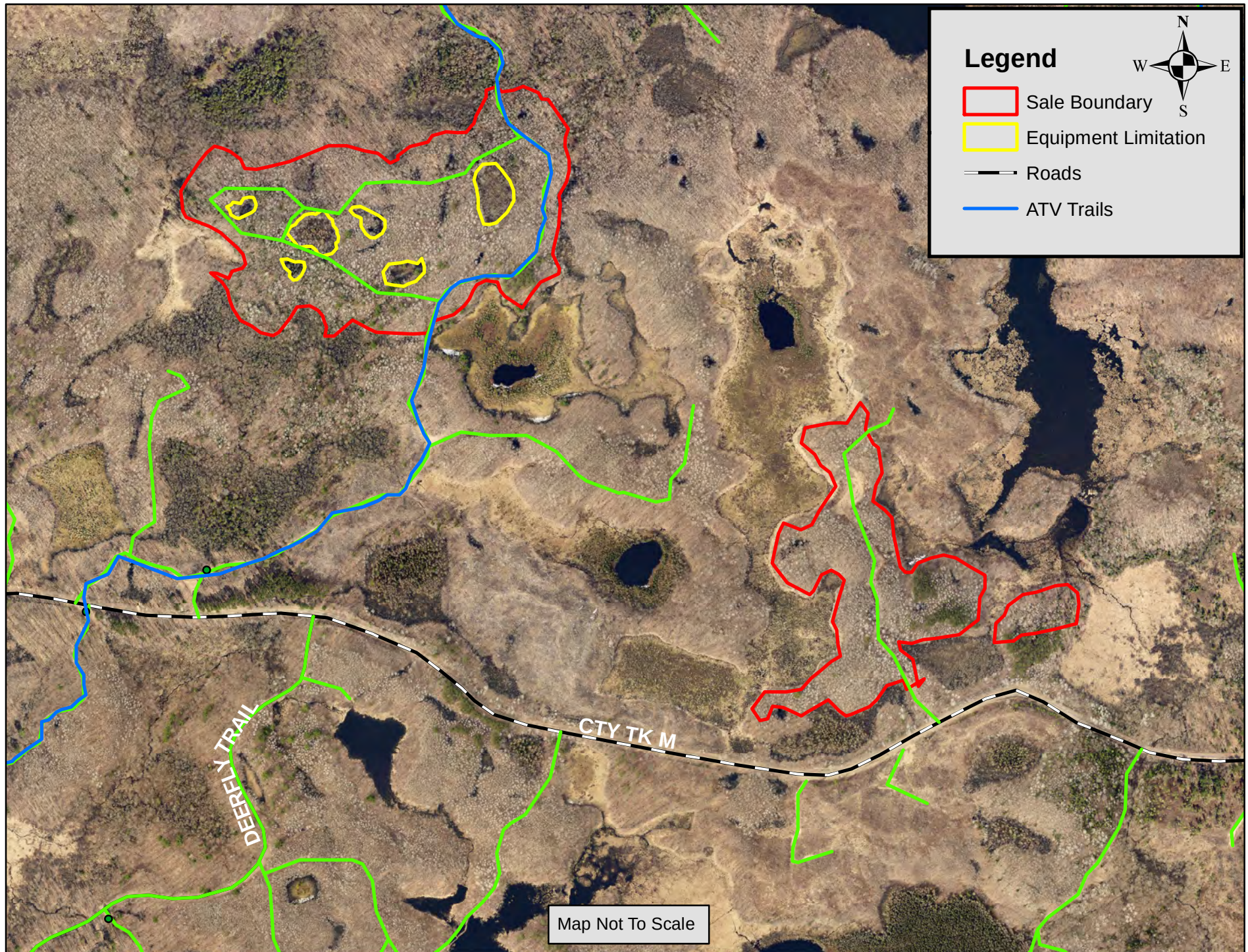
Cutting Requirements:

Aspen Harvest Areas: (54 acres) Cut all trees one inch in diameter and larger. **Do not** cut red marked boundary trees, yellow marked equipment limitation, pole sized oak or conifers.

Special Conditions:

- The contract length is 2 years.
- No harvesting activity will be allowed if rutting occurs. Small pockets of wetlands/low areas shall be avoided with caution.
- **Do not** cut any red or yellow marked boundary trees, pole sized oak or conifers.
- All cordwood shall be utilized to a 4" top diameter.
- The ATV trail will remain open during harvest. Decking along The ATV trail will be permitted. Trail must remain passable at all times.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor. (ie) down logs greater than 12 inches in diameter.*
- All slash must lie within two feet of the ground.
- All logging debris must remain within the sale boundaries and removed from wetlands and trails.
- All landing locations must be approved by the county.

Map Located on the Back



CHIPPEWA COUNTY TIMBER SALE TRACT 21-21

We All Fall Down - Ash Harvest

(approximately 18 acres)

Located in Section 25, T32N R7W, Town of Birch Creek

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 21-21 is \$4,140.00.**

Species	Amount	
	Tons	MBF
Mixed Hdwd cordwood (4" top) (4600 lbs/cord)	450	
Mixed Hardwood logs		36

Sale Area Description:

The purpose of the proposed harvest system is to promote all swamp hardwood species other than ash. The goal is to shift species composition away from ash in preparation for infestation by the Emerald Ash Borer. Red Maple, Yellow Birch, White Pine, Spruce, and Tamarac are examples of residual species desired as a seed source.

The boundaries of this sale are marked with red and blue paint line. All clearing and grading required to accommodate hauling is the responsibility of the contractor and must be pre-approved by the County.

Cutting Requirements:

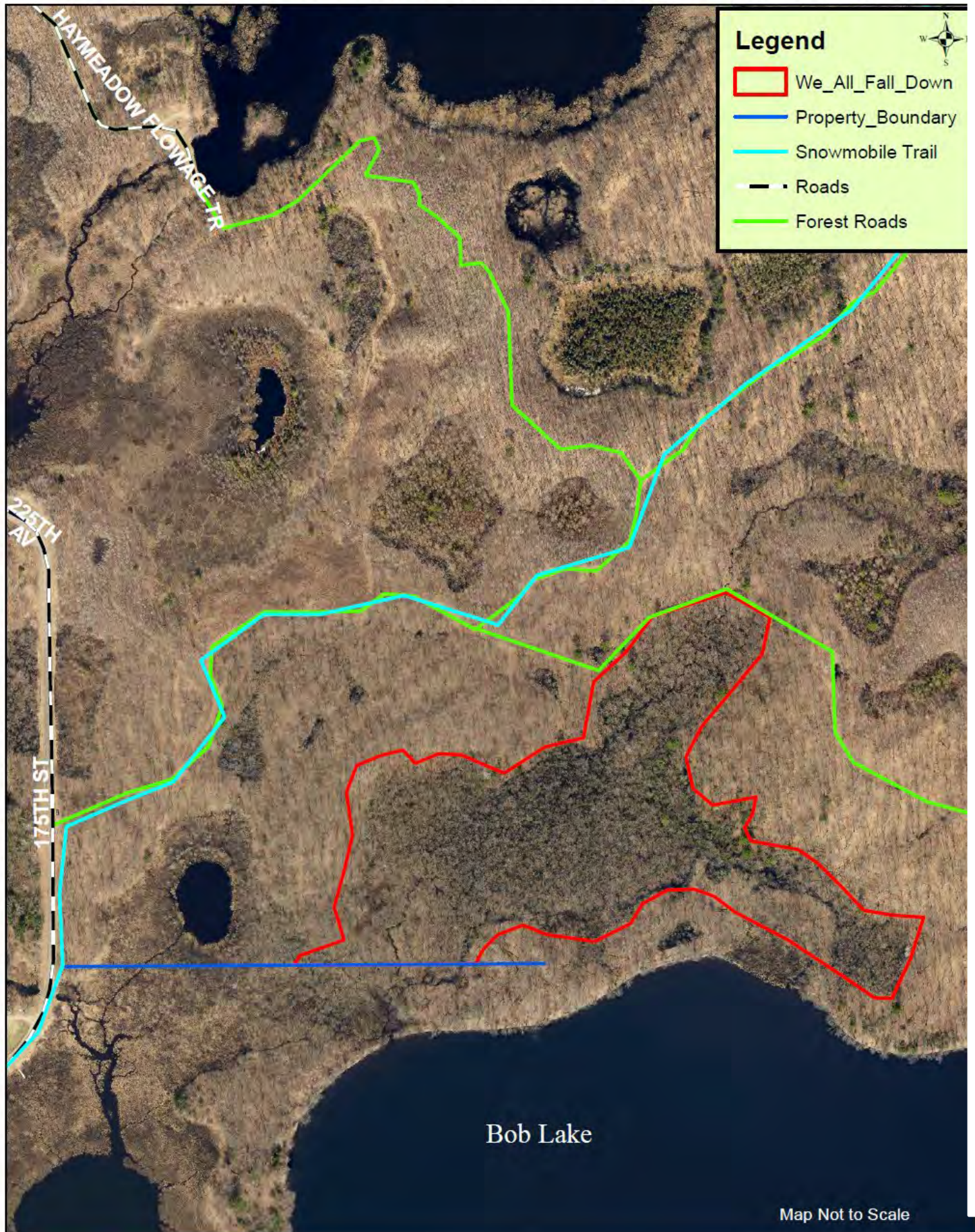
Cut all merchantable (5" DBH or greater) ash and aspen trees. **Do not** cut any other species unless necessary for operations and pre-approved by the County.

Special Conditions:

- **Harvest activity is permitted only when frozen ground conditions exist.**
- The contract length is approximately 2 years, 2 winter seasons expiring March 31, 2023.
- Timber mats or other stream crossing BMP's approved by the County may be required. The County's timber mats may be available at no charge (first-come, first-served). Stream crossings shall be minimized.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- All landing locations must be approved.
- All hardwood logs, (except aspen) 10" or larger on the small end will be charged at the appropriate saw log stumpage rate.

MAP ON BACK

Tract 21-21 We All Fall Down +/- 18 acres Ash Harvest



Attachment: Timber Sales and Location Map (6348 : Review Summary of Spring 2021 Timber Sale Bids and Award Contracts)

CHIPPEWA COUNTY TIMBER SALE TRACT 22-21

Bert and Ernie Aspen

(approximately 18 acres)

Located in T31N R8W Sections 9 and 10, Town of Cleveland

The table below contains an estimate of the amount of each species/product. There is no minimum bid for each species; however **the total minimum bid that is acceptable for Tract 22-21 is \$ 14,655.00.**

Species	Amount	
	Tons	MBF
Aspen cordwood	1595	
Mixed Hdwd cordwood	155	

Sale Area Description:

This sale will be a clear-cut to coppice the aspen in the stand. The boundaries of this sale are marked with red paint line. The sale is accessed on multiple woods roads from the Hickory Ridge Trail and partially adjacent the O'Neil Creek Trail. Bike and Horse trails run throughout this sale and will be flagged by the user groups to alert loggers of the trail. Disturbance to the trails must be kept to a minimum and all debris cleared from the trail bed. Trails will be rerouted during harvest operations. The County will be responsible for signing trails and roads.

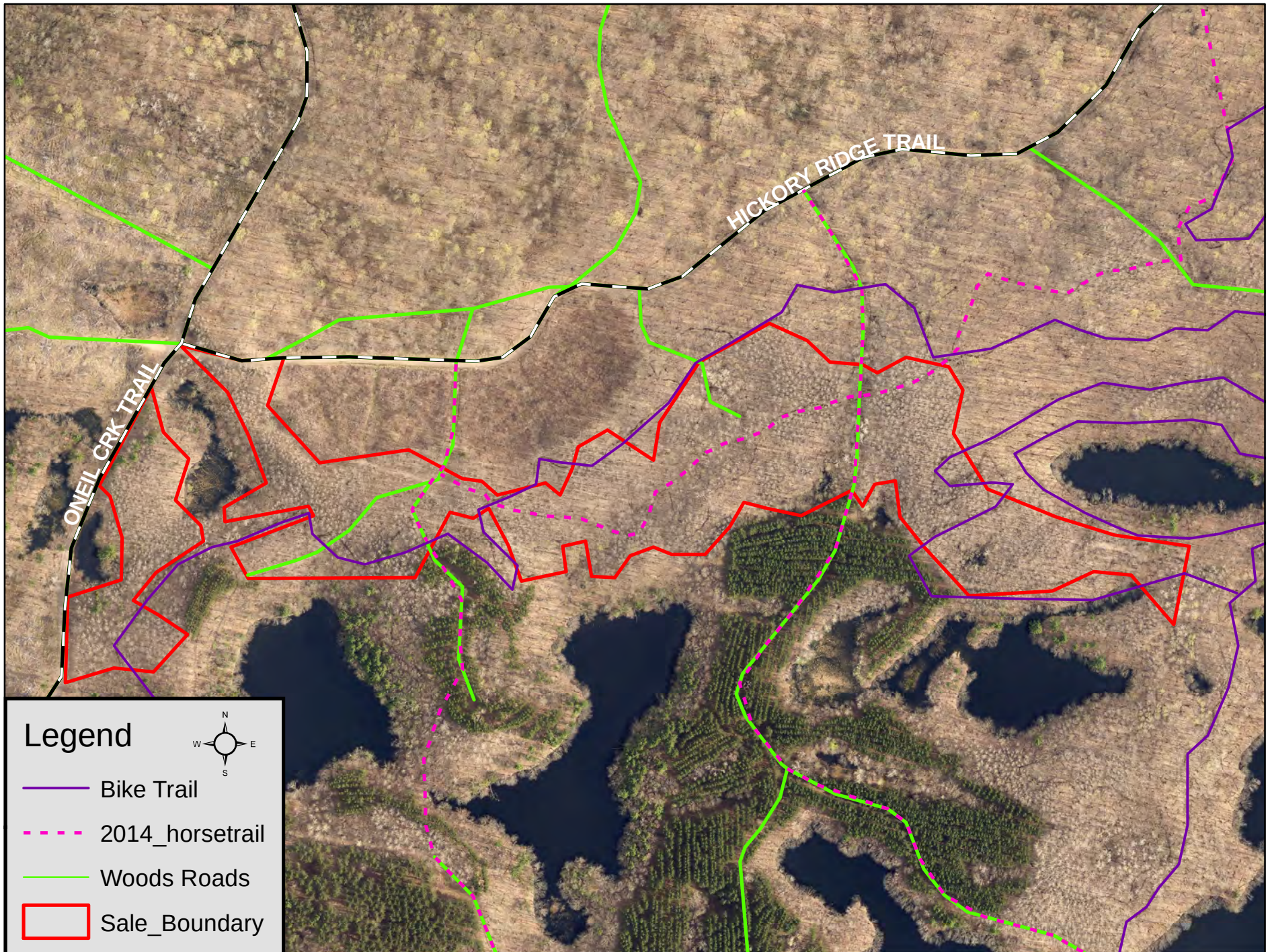
Cutting Requirements:

Aspen Harvest Areas: (18 acres) Cut all trees one inch in diameter and larger. **Do not** cut any Purple marked trees, Red marked boundary trees or conifers.

Special Conditions:

- The contract length is 2 years.
- No harvesting activity will be allowed if rutting occurs. Contractor will be required to avoid operating equipment in small pockets of wetlands/low areas.
- Recreational Trails will be rerouted to primary forest roads during harvest operations. Caution by the contractor will be required.
- **Do not** cut any Purple marked trees, Red marked boundary trees or conifers.
- All cordwood shall be utilized to a 4" top diameter.
- *Leave all snags (dead trees) unless they present a safety hazard. Use caution to limit the disturbance of Course Woody Debris (CWD) on the forest floor.* (ie) down logs greater than 12 inches in diameter.
- All slash must lie within two feet of the ground.
- All logging debris must remain within the sale boundaries and removed from wetlands and trails.
- All landing locations must be approved by the county.

Map Located on the Back





STATEMENT OF EXPLANATION
CONSIDER REVISED AGRICULTURAL PERFORMANCE STANDARDS,
MANURE STORAGE AND LIVESTOCK FACILITY ORDINANCE

6.2

The LCFM is responsible for administering the Chippewa County Animal Waste Storage Ordinance and associated agricultural nonpoint pollution control programs.

On 1/30/19, the Department of LCFM provided a report and distributed a revised working draft of this ordinance, dated 1/30/19.

On 3/20/19, the Department of LCFM provided an overview of policy considerations for this draft ordinance as it pertains to administration and enforcement, violations and penalties, and appeals and variances.

On 7/17/19, the Department of LCFM re-introduced policy issues introduced on 3/20/19, and other policy issues as they apply to proposed revisions to the Livestock Facility & Storage Ordinance.

On 11/20/19, the Department of LCFM provided an updated revised working draft of the ordinance, dated 11/20/19.

On 12/18/19, the Department of LCFM presented additional information, including flow chart graphics, that:

1. Depicted the scope of decision-making authority to regulate Confined Animal Feeding Operations (CAFO's) under either zoning or State Livestock Siting Law (ACTP 50).
2. The conceptual framework from a revised manure storage and facility ordinance.

On 1/15/20, the Department of LCFM presented additional information.

On 2/19/20, the Committee made a motion to move forward with the draft ordinance to complete the ordinance for review and submission for public review.

On 6/17/20, the Committee made a motion to postpone action on this item until the 7/15/20 Committee meeting.

On 7/15/20, the Committee reviewed a draft ordinance. Staff indicated that the conceptual changes, as proposed (and as indicated on a revised graphic dated 7/7/20) would be incorporated into a revised draft and forwarded to Corporation Counsel for review.

On 8/26/20, the Committee made a motion to table a scheduled agenda item to consider the draft ordinance, until legal counsel completes a formal review.

On 11/18/20, the Department of LCFM presented a report that focused on the scope of the County's jurisdictional authority, as highlighted from the outcome of a legal review of the draft ordinance, as conducted by DATCP and outside counsel.

On 12/9/20, the Committee considered a revised draft of an Agricultural Performance Standards, Manure Storage and Livestock Facility Ordinance (dated 11/4/20) and the outcome of a jurisdictional review conducted by DATCP and outside counsel (dated 11/16/20).

On 12/9/20, The Chair requested that Corporation Counsel and LCFM staff do additional research to:

1. Confirm the County's authority and the processes used to access properties to investigate public complaints.
2. Determine the extent of the existing regulatory authority, now used by WDNR to control pollution and to regulate remote transfer of animal waste using temporary pumps, pipes, and hoses under WI Stats., and NR Administrative Rule.

On 1/20/21, the Committee considered a revised draft of an Agricultural Performance Standards, Manure Storage and Livestock Facility Ordinance (dated 1/14/21). At that meeting, the Committee postponed this agenda item until the 2/17/21 LCFM Committee meeting. The 2/27/21 meeting was subsequently canceled.

On 3/17/21, the Committee took action to eliminate permitting of new or altered livestock housing constructed without animal storage, and planning requirements for animal waste transfer using temporary pumps, pipes, or hoses in the draft ordinance, and to forward the ordinance to the Office of Corporation Counsel for final edits in preparation for public hearing.

This agenda item will be used to review a revised draft of the Agricultural Performance Standards, Manure Storage and Livestock Facility Ordinance (dated 5/12/21), as provided by the Office of Corporation Counsel, and to consider further action.

ORDINANCE TO REPEAL AND RECREATE ARTICLE IV, DIVISION 3 OF CHAPTER 62 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES

1. That Article IV, Division 3 of Chapter 62 of the Chippewa County Code of Ordinances is hereby repealed and is recreated as follows:

DIVISION 3. AGRICULTURAL PERFORMANCE STANDARDS, MANURE STORAGE AND LIVESTOCK FACILITY MANAGEMENT

- Sec. 62-186. General Provisions.
- Sec. 62-187. Definitions.
- Sec. 62-188. Activities Subject to Permitting and to Regulation.
- Sec. 62-189. Dimensional Setbacks and Separation Distances
- Sec. 62-190. Performance Standards and Prohibitions.
- Sec. 62-191. Manure Storage Permits.
- Sec. 62-192. Certificate of Compliance.
- Sec. 62-193. Administration and Enforcement.
- Sec. 62-194. Violations.
- Sec. 62-195. Appeals and Variances.
- Sec. 62-196 to 62-209. Reserved.

DIVISION 3. AGRICULTURAL PERFORMANCE STANDARDS, MANURE STORAGE AND LIVESTOCK FACILITY MANAGEMENT

Sec. 62-186. General Provisions.

- (a) *Authority.* This Ordinance is adopted under authority granted by ss. 59.02, 59.03, 59.70, 92.07, 92.15, and 92.16, Wisconsin Statutes ("Wis. Stats."), and ss. ATCP 50.40 ATCP 50.56 and NR 151.05, Wisconsin Administrative Code ("Wis. Admin. Code").
- (b) *Title.* This Ordinance shall be known as, referred to, and may be cited as the Chippewa County Agricultural Performance Standards, Manure Storage and Livestock Facility Ordinance, and is hereinafter known as the Ordinance.
- (c) *Findings and Declaration of Policy.*
 - (1) The Chippewa County Board of Supervisors finds that agricultural operations and the ongoing production of food, fuel, and fiber are essential to the county's economy and to the well-being of county residents.
 - (2) The Chippewa County Board of Supervisors further finds the regulation of activities identified in this Ordinance will protect and promote the county's agricultural industry; prevent pollution of surface and groundwater; protect the health, safety, and general welfare of the people and communities within the county; preserve the health of livestock, aquatic life and other animals and plants; advance the appropriate use of land and water conservation resources within the community; and protect the property tax base of the county.

- (3) The Chippewa County Board of Supervisors further finds that the technical standards developed by the USDA Natural Resources Conservation Service (“NRCS”), and performance standards, prohibitions, and conservation practices codified by Wisconsin Department of Agriculture, Trade and Consumer Protection (“DATCP”) and Department of Natural Resources (“DNR”), which are adopted as part of this Ordinance, provide effective, practical, and environmentally protective methods for storage and managing manure.
- (4) The Chippewa County Board of Supervisors further finds that this Ordinance will be implemented to achieve resource management objectives for surface water and groundwater quality and agricultural nonpoint pollution control, as established in the Chippewa County Land and Water Resource Management Plan.
- (5) The Chippewa County Board of Supervisors further finds that the following conditions may threaten the county’s natural and water resources, cause harm to the health, safety, and welfare of people within the county, and adversely impact the property tax base of the county:
 - a. New and substantially altered manure storage facilities that fail to meet performance and technical standards for proper design, construction, and operation.
 - b. Existing manure storage facilities that are not properly functioning and pose unreasonable risks related to structural failure and leakage.
 - c. Existing manure storage facilities that overtop or are operated in a manner that creates an unreasonable risk of discharge to waters of state.
 - d. Existing manure storage facilities where no manure has been added or removed for a period of 24 months, and are not slated for future use.
 - e. Management of manure, including waste transfer, field stacking, and land application that fails to meet performance and technical standards for proper handling and land application of manure.
 - f. Management of livestock facilities and associated agricultural cropland and pasture that fail to meet state agricultural performance standards and prohibitions for agricultural runoff and nonpoint pollution control.
 - g. Management of agricultural cropland and pasture that fail to meet state agricultural performance standards and prohibitions for agricultural runoff and nonpoint pollution control.
- (d) *Purpose.* The purpose of this Ordinance is to: regulate the location, design, construction, installation, alteration, operation, maintenance, closure, and use of manure storage facilities; ensure the proper application of waste and manure from all manure storage facilities; and to prescribe agricultural performance standards and prohibitions for agricultural facilities, operations, and practices to control soil erosion, agricultural runoff, and nonpoint pollution from those operations.

This Ordinance codifies the agricultural performance standards and prohibitions that have been established under NR 151, Wis. Admin. Code to clarify for the benefit of the public, rural landowners, and agricultural operators the extent of agricultural management that is expected and required to control agricultural nonpoint source water pollution.

This Ordinance establishes site evaluation, cost-share, and operational reporting requirements to ensure that prescribed state agricultural performance standards are properly communicated and, if applicable, are met and maintained. This Ordinance is also intended to provide for its administration and enforcement, and to provide penalties for its violation.

- (e) *Applicability.* The permit and other requirements in this Ordinance apply to all land within the unincorporated areas of Chippewa County, unless an intergovernmental agreement is established with the governmental entity of an incorporated municipality.
- (f) *Interpretation.* In its interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Chippewa County and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes (Stats.). This Ordinance shall be interpreted to be consistent with ch. 92 and s. 281.16, Wis. Stats. and chs. ATCP 50 and NR 151, Wis. Admin. Code.
- (g) *Abrogation, Greater Restrictions, Severability, and Repeal Clause.*
 - (1) *Abrogation and Greater Restrictions.* This Ordinance is not intended to repeal, annul, abrogate, impair, or interfere with any existing covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law.
 - (2) *Severability.* Each section, paragraph, sentence, clause, word, and provision of this Ordinance is severable if any portion shall be deemed unconstitutional or invalid for any reason, and such decision shall not affect the remainder of the Ordinance nor any part thereof other than the portion affected by such decision.
 - (3) *Repeal.* All other ordinances or parts of ordinances of Chippewa County that are inconsistent or conflicting with this Ordinance to the extent of the inconsistency only, are hereby repealed, specifically including the Chippewa County Animal Waste Storage and Utilization Ordinance.
- (h) *Effective Date.* This Ordinance shall become effective upon its adoption by the Chippewa County Board of Supervisors, and publication.

Sec. 62-187. Definitions.

For the purpose of administering and enforcing this Ordinance, certain technical terms referenced, if not included in this section, are those defined in chs. 92 and 281, Wis. Stats., and chs. ATCP 50, NR 151, and NR 243, Wis. Admin. Code.

- (a) “Agricultural Performance Standards and Prohibitions” means those performance standards and prohibitions identified in Subchapter II of ch. NR 151, Wis. Admin. Code.

- (b) *"Applicant"* means any person who applies for a permit under this Ordinance.
- (c) *"Committee"* means the Land Conservation and Forest Management Committee, acting as the Land Conservation Committee, as the committee designated by the Chippewa County Board of Supervisors pursuant to s. 92.06, Wis. Stats.
- (d) *"Department"* means the Chippewa County Department of Land Conservation & Forest Management. The Department shall have full authority for carrying out the duties under this Ordinance, as delegated by the Committee and County Board under s. 92.09, Wis. Stats.
- (e) *"Director"* means the Director of the Chippewa County Department of Land Conservation & Forest Management.
- (f) *"DATCP"* means the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (g) *"DNR"* means the Wisconsin Department of Natural Resources.
- (h) *"Direct Runoff"* has the meaning in s. NR 151.015(7), Wis. Admin. Code. The criteria in NR 151.055(3), Wis. Admin. Code, will be used to predict or determine if a discharge is significant.
- (i) *"Earthen Manure Storage Facility"* means a facility constructed of earth dikes, pits, or ponds used for temporary storage of manure and other allowed uses.
- (j) *"Livestock Facility"* means a feedlot, dairy farm or other operation where livestock are or will be fed, confined, maintained or stabled for a total of 45 days or more in any 12 month period. A "livestock facility" includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single "livestock facility" for purposes of this chapter, except that an operator may elect to treat a separate species facility as a separate "livestock facility".
- (k) *"Manure"* means livestock excreta and the following when intermingled with excreta in normal farming operations: debris, including bedding, water, soil, hair, and feathers; processing derivatives, including separated sand, separated manure solids, precipitated manure sludges, supernatants, digested liquids, composted bio solids, and process water; and runoff collected from barnyards, animal lots, and feed storage areas.
- (l) *"Manure Storage Facility"* means one or more impoundments made by constructing an embankment, excavating a pit or dugout, or fabricating a structure specifically for the purpose of temporarily storing manure and related wastes. A facility includes stationary equipment and piping used to load or unload a manure storage structure if the equipment is specifically designed for that purpose and is an integral part of the facility, and specifically includes components to transfer waste from milking centers, runoff from barnyards, and leachate and contaminated runoff from feed storage.
- (m) *"Natural Resources Conservation Service (NRCS)"* is an agency of the United States Department of Agriculture which, for purposes of this Ordinance, develops and maintains a technical guide with conservation practice standards and specifications, engineering manuals and handbooks, and other technical documentation related to manure storage facilities, nutrient management plans, and other technical matters covered by this Ordinance.

- (n) *"NRCS Technical Guide"* means the document, including technical notes and appendixes for the State of Wisconsin, provided by NRCS which contains technical data, including the standards referenced within this Ordinance to properly and safely locate, construct, install, alter, design, operate, and maintain a manure storage facility, as adopted by Chippewa County in accordance with Chapter 92, Wis. Stats.
- (o) *"Nutrient Management Plan"* means any of the following:
- (1) A plan required under s. ATCP 50.04(3) or 50.62(5) (f).
 - (2) A farm nutrient plan prepared or approved for a landowner, by a qualified nutrient management planner.
- Note: A nutrient management plan must comply with s. ATCP 50.04(3)
- (p) *"Overflow"* has the meaning given in NR 151.015(15e), Wis. Admin. Code.
- (q) *"Permit"* means the signed, written statement issued under this Ordinance authorizing the applicant to construct, install, reconstruct, extend, enlarge, substantially alter, or close a manure storage facility, and to use or dispose of waste from the manure storage facility.
- (r) *"Permittee"* means any person to whom a permit is issued under this Ordinance.
- (s) *"Person"* means any individual, corporation, limited liability company, partnership, joint venture, agency, unincorporated association, municipal corporation, county, or state agency within Wisconsin, the federal government, or any combination thereof.
- (t) *"Public Complaint"* means a verified complaint of concern that is received by Chippewa County, DATCP, or DNR that is used to determine whether there is a nonpoint water pollution discharge that results in a significant impact to waters of the state, as determined in accordance with ch. NR 243, Wis. Admin. Code, or whether the operation meets Wisconsin Agricultural Performance Standards and Prohibitions, as established under chs. NR 151 and ATCP 50, Wis. Admin. Code.
- (u) *"Safety Devices"* means devices which are designed to protect humans and livestock from the hazards associated with a manure storage facility.
- ~~(u) *"Shoreland" Zone* means lands within the following distances from the ordinary highwater mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.~~
- (v) *"Significant Discharge"* means a discharge of process wastewater that is determined as "significant" in accordance with the criteria in NR 151.055(3), Wis. Admin. Code.
- (w) *"Site that is susceptible to groundwater contamination"* has the meaning under NR 151.015(18), Wis. Admin. Code.
- (x) *"Stop Work Order"* means an order to cease any activity in the operation of, or construction of, an activity subject to regulation.

- (y) *“Substantially altered”* has the meaning in NR 151.015(20), Wis. Admin. Code.
- (z) *“Technical Standard 313”* is a practice standard within the Technical Guide that covers the proper location, design, construction, installation, alteration, operation, and maintenance of a manure storage facility.
- (aa) *“Technical Standard 360”* is a practice standard within the Technical Guide that covers decommissioning of facilities and/or the rehabilitation of contaminated soil in an environmentally safe manner where agricultural waste has been handled, treated, and/or stored and is no longer used for the intended purpose.
- (bb) *“Technical Standard 634”* is a practice standard within the Technical Guide that covers the design, material types and quality, and installation of components such as conduits, pumps, valves, and other structures or devices to transfer manure and waste from buildings and yards and other sources to storage, loading areas, crop fields and other destinations. The standard establishes the minimum acceptable requirements for design, construction, and operation of waste transfer systems.
- (cc) *“Technical Standard 590”* is a practice standard within the Technical Guide that covers managing the amount, form, placement, and timing of plant nutrients associated with organic wastes (manure and organic by-products), commercial fertilizers, legume crops and crop residues.
- (dd) *“Waste Transfer System”* means components such as pumps, pipes, conduits, valves, and other mechanisms installed to convey manure, leachate and contaminated runoff, and milking center wastes from livestock structures to a storage structure loading area or treatment area.
- (ee) *“Unpermitted Manure Storage Facility”* means a manure storage facility constructed, modified, or placed in use without first obtaining permit, including facilities constructed before (the first date of the adoption of this Ordinance), and may include an earthen structure or impoundment made of a concrete liner which fully or partially covers the bottom and/or the sidewalls of the impoundment.
- (ff) *“Water Pollution”* means contaminating or rendering unclean or impure the ground or surface waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal, or plant life.
- (gg) *“Water Quality Management Area”* or *“WQMA”* has the meaning in NR 151.015(24), Wis. Admin. Code.
- (hh) *“Waters of the State”* is the meaning specified under s. 281.01(18), Wis. Stats.

Sec. 62-188. Activities Subject to Permitting and to Regulation.

- (a) *Manure Storage Facilities.* Any person who constructs, substantially alters, changes use of or closes a manure storage facility and related transfer systems, or who employs another person to do the same is subject to the performance standards and prohibitions in Sec. 62-190 and shall be subject to the permit requirements of this Ordinance in Sec. 62-191 .

- (b) *Performance Standards and Prohibitions.* Any person who owns or operates cropland or livestock facilities in this county is subject to the performance standards and prohibitions in Sec. 62-190. This Ordinance incorporates by reference the definitions in chs. ATP 50 and NR 151, Wisconsin Admin. Code, to the extent that they are not explicitly referenced herein.
- (c) *Safety Devices.* All manure storage facilities shall be equipped with safety devices, including fences and warning signs intended to protect humans and livestock from the hazards associated with such facilities. Safety devices shall be designed and installed as required by the NRCS Technical Guide.

Sec. 62-189. Dimensional Setbacks and Separation Distances

This ordinance incorporates the existing dimensional setbacks and environmental separation distances referenced in the NRCS Technical Guide, and those established in chs. ATP 50, NR 151, and NR 243, Wis. Admin. Code.

Sec. 62-190. Performance Standards and Prohibitions.

- (a) *Purpose.* The purpose of this section is to identify the agricultural performance standards and prohibitions that apply to cropland owners and operators, and to livestock facility owners and operators after the effective date of the Ordinance, whether or not the owners or operators have received a permit under this Ordinance. This section outlines the procedures the Department will follow in implementing and enforcing these standards and prohibitions consistent with state requirements, and the circumstances under which an owner or operator of a livestock facility is required to comply with these standards and prohibitions.
- (b) *Activities Subject to Agricultural Performance Standards and Prohibitions.*
 - (1) *Livestock Manure Storage.* All owners and operators of livestock facilities shall manage livestock facilities and operations, and store manure in accordance with State agricultural performance standards and prohibitions and Secs. 62-190 sub (c) and (d), whether or not a permit has been issued under Sec. 62-191.
 - (2) *Cropland and Pastures.* All owners and operators of cropland and pastures shall manage cropland and pastures in accordance with State agricultural performance standards and prohibitions, and Sec. 62-190, whether or not a permit has been issued.
- (c) *Manure Storage Facilities Performance Standards.* (see NR 151.05 and NR 151.08, Wis. Admin. Code)
 - (1) Manure storage facilities constructed or substantially altered after October 1, 2002, shall be designed, constructed, and maintained to minimize the risk of structural failure of the facility and minimize leakage from the facility.
 - a. Storage facilities that are constructed or significantly altered shall be designed and operated to contain the additional volume of runoff and direct precipitation entering the facility as a result of a twenty-five (25)-year, twenty-four (24)-hour storm.

- b. A manure storage facility located in permeable soils or over fractured bedrock must be constructed with a liner designed in accordance with NRCS Technical Guide.
- (2) Closure of a manure storage facility shall occur when the farm where the storage facility is located ceases operation, or manure has not been added or removed from the storage facility for a period of twenty-four (24) months. Manure storage facilities shall be closed in a manner that prevents future contamination of groundwater and surface waters, and shall conform to the permit and other requirements in this Ordinance.
- (3) The owner or operator may avoid closure of a manure storage facility as required under subsection (c)(2) by demonstrating to the Department that all of the following conditions are met:
 - a. The facility is designed, constructed, and maintained in accordance with subsection (c)(1).
 - b. The facility is designed to store manure for a period of time longer than twenty-four (24) months.
 - c. Retention of the facility is warranted based on anticipated future use.
- (4) Manure storage facilities that pose an imminent threat to public health, fish and aquatic life, or groundwater shall be upgraded, replaced, or closed in accordance with this Ordinance.
- (5) Manure storage facilities constructed or substantially altered after October 1, 2002, may be required to comply with Sec. 62-190 without cost-sharing.
- (6) Levels of materials in manure storage facilities may not exceed the margin of safety level as defined in NR 151.015(13g), Wis. Admin. Code.
- (7) No livestock facility in the county shall have:
 - a. Overflow of manure from storage facilities.
 - b. Direct runoff from stored manure into the waters of the state.
- (8) All owners and operators of manure storage facilities shall apply manure and nutrients to cropland according to a nutrient management plan prepared in compliance with ATPC 50.04(3), Wis. Admin. Code.
- (d) *Livestock Management Performance Standards.*
 - (1) All pastures shall be managed to achieve a soil erosion rate equal to, or less than, the "tolerable" (T) rate established for that soil (NR 151.02, Wis. Admin. Code).
 - (2) All owners and operators of pastures shall have and follow a nutrient management plan prepared in accordance with ATPC 50.04(3), Wis. Admin. Code if the pastures are

stocked at an average stocking rate of more than one animal unit per acre at all times during the grazing season, or if the pasture receives mechanical applications of nutrients (NR 151.07, Wis. Admin. Code).

- (3) Each pasture and winter grazing area covered by a nutrient management plan shall have a phosphorus index average of six (6) or less over the accounting period and may not exceed a phosphorus index of twelve (12) in any individual year within the accounting period (NR 151.04, Wis. Admin. Code).
- (4) Livestock facilities may have no significant discharge of process wastewater to waters of the state (NR 151.055, Wis. Admin. Code).
- (5) Livestock facilities shall divert runoff away from contacting feedlot, manure storage areas and barnyard areas within WQMA, except that a diversion to protect a private well under NR 151.015(18)(a), Wis. Admin. Code is required only when the feedlot, manure storage area, or barnyard area is located upslope from the private well (NR 151.06, Wis. Admin. Code).
- (6) No livestock facility shall:
 1. Have an unconfined manure pile in a WQMA.
 2. Have direct runoff from a feedlot into the waters of the state.
 3. Allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover. This prohibition does not apply to properly designed, installed, and maintained livestock or farm equipment crossings. (NR 151.08, Wis. Admin. Code)

(e) *Cropland Performance Standards.*

- (1) All land where crops or feed are grown shall be managed to achieve a soil erosion rate equal to, or less than, the "tolerable" (T) rate established for that soil (NR 151.02, Wis. Admin. Code).
- (2) No crop producer may conduct a tillage operation that negatively impacts stream bank integrity or deposits soil directly in surface waters (NR 151.03, Wis. Admin. Code).
- (3) No tillage operations may be conducted within five (5) to twenty (20) feet of a surface water, as specified in accordance with NR 151.03 and ATP 50.04(4), Wis. Admin. Code.
- (4) Croplands and winter grazing areas shall average a phosphorus index of six (6) or less over the accounting period and may not exceed a phosphorus index of twelve (12) in any individual year within the accounting period (NR 151.04, Wis. Admin. Code).
- (5) All owners and operators of cropland shall apply nutrients according to a nutrient management plan prepared in accordance with ATP 50.04(3), Wis. Admin. Code.

(f) *Implementation and Enforcement Procedures for Performance Standards and Prohibitions.*

- (1) *Procedures.* To implement and enforce the performance standards and prohibitions defined in Sec. 62-187, and referenced in Sec. 62-190, the Department shall do all of the following:

- a. Provide voluntary cost-sharing to secure compliance, when required.
- b. Follow the procedures in NR 151.09, Wis. Admin. Code to implement and enforce the performance standards for cropland in Sec. 62-190, sub (e) and the pastures standards in sub. (d), and the procedures in NR 151.095, Wis. Admin. Code, to implement and enforce the performance standards for livestock operations in Sec. 62-190(d).
- c. Pursue any other action or remedies authorized under Secs. 62-193, 62-194, and 62-195 of this Ordinance.

- (2) *Farm Evaluation.* Farm evaluations shall be scheduled with persons subject to regulation under Sec. 62-188 and with those subject to public complaint.

Farm evaluations will be conducted by the Department using standardized protocols, with opportunity for participation by the landowner and operator.

Evaluations will be conducted to:

- a. Inform the landowner and operator of the performance standards and prohibitions, and to document the extent of current compliance with NR 151.09 and NR 151.095, Wis. Admin. Code.
- b. In circumstances where there is a spill, runoff event, or direct discharge, document the occurrence as necessary, to evaluate potential impacts on waters of the state and to determine possible regulatory response and enforcement under NR 243, Wis. Admin. Code and Sec. 62-193 and Sec. 62-194.

- (3) *Cost-Sharing Required.* Pursuant to ATPC 50 and NR 151, Wis. Admin. Code, the Department shall determine if a landowner of existing cropland or livestock facilities must be made a bona fide offer of cost-sharing to achieve compliance with a performance standard or prohibitions. The Department shall do all of the following, notifying the landowner regarding its determinations:

- a. Identify the specific areas in which the landowner or operator has failed to comply with the performance standards and prohibitions, and the corrective actions the landowner or operator must pursue to achieve compliance.
- b. Determine whether farmland that is out of compliance is “existing cropland” or an “existing livestock facility”. If cropland or a livestock facility has been determined to be in compliance with a performance standard or prohibition, it no longer qualifies as an “existing” cropland or facility for cost-share purposes under that performance standard. If the cropland or facility later falls out of

compliance with the performance standard, the landowner must restore compliance regardless of the availability of cost-sharing.

- c. Determine whether cost-sharing is available following the requirements of NR 151.09(4)(d) or NR 151.09(5)(d), Wis. Admin. Code, when funding is provided under s. 281.65, Stats., and use ATCP 50, Wis. Admin. Code, to determine whether cost-sharing is available when funds are from any other source.

Sec. 62-191. Manure Storage Permits.

(a) *Permit Required.*

- (1) No person may do any of the following without obtaining a permit in accordance with this section:
 - a. Construct a new manure storage facility or substantially alter an existing manure storage facility, including the construction or substantial alteration of waste transfer systems connected to a manure storage facility.
 - b. Upgrade, repair, or replace a manure storage facility that has been identified as posing an imminent threat to public health, fish and aquatic life, or groundwater under Sec. 62-187.
 - c. Close an existing manure storage facility, including conversion of its use, regardless of whether the facility must be closed in accordance with Sec. 62-190.
 - d. Change the use of the manure storage facility to store industrial, food processing, septage, or other wastes.
 - e. Operate an existing manure storage facility, permitted through this Ordinance, without a certificate of compliance issued under Sec. 62-192.
- (2) For the purposes of this section, a manure storage facility is subject to the permit requirements if:
 - a. It is intended to hold an accumulation of manure within an impoundment or enclosure that is excavated or fabricated.
 - b. It is an enclosed area for holding manure within or below a feedlot or structure for confinement of livestock.
- (3) Requirements of this Ordinance shall be in addition to any other legal requirements regulating animal waste. Specific exemptions to cost-share requirements apply to the issuance of permits. See NR 151.095(5)(b)2. and ATCP 50.54(2)(b), Wis. Admin. Code. In the case of conflict, the most stringent provisions shall apply.
- (4) A person shall be deemed to be in compliance with this section if he or she follows the application and other procedures specified in this section, receives a permit and

approval from the Department before beginning activities subject to regulation under this section, complies with the requirements of the permit, and receives any required approvals or certifications from the Department. The Department may establish a timetable for the applicant to complete required activities to ensure compliance with requirements of this Ordinance.

- (b) *Exemption to Permit Requirement.* A permit is not required for:
- (1) Routine maintenance of a manure storage facility.
 - (2) Emergency equipment repairs of a manure storage facility, if the following conditions are met:
 - a. All emergency repairs on a manure storage facility or waste transfer system which cause any disruption of the original construction of the manure storage facility shall be done so as to restore the manure storage facility to the original state, as determined by the performance standards set forth in Sec. 62-190.
 - b. Such repairs shall be reported to the Department, by the landowner, within one (1) working day of the emergency for the Department to determine whether a permit will be required for any additional alteration or repair to the manure storage facility, which shall be rendered by the Department within three (3) working days of reporting.
- (c) *Fee.* All fees under this Ordinance are established pursuant to a Fee Schedule duly adopted by the County Board/Committee & County Board throughout the County budget process. Copies of the current fee schedule are kept on file at the Department or are available from the County website at www.co.chippewa.wi.us. Permit fees shall be payable at the time of submission of a permit application. Separate fees may apply for engineering assistance provided by the Department to design a manure storage facility.
- (d) *Manure Storage Facility Construction Plan and Nutrient Management Plan Required.* Each application for a permit under Section 62-191 shall be on a form provided by the Department and include plans for the manure storage facility (including waste transfer system) and the management of manure prepared in accordance with following requirements:
- (1) A narrative of the general criteria required within Technical Standard 313, and of other applicable Technical Standards including management and site assessments. The narrative should include, but is not limited to:
 - a. The number and type of animals for which manure storage is provided, the duration for which housing or manure storage is to be provided, daily gallons and/or cubic feet of waste and manure produced, bedding type, and manure handling practices.
 - b. For manure storage, a description and construction plan of the method of transferring manure into and from the manure storage facility.

- c. For manure storage, soil test pit or boring logs and their locations with soil descriptions and test results, prepared following a soils site investigation conducted by the Department. Soil test pit or boring criteria shall follow Technical Standards 313V.A.2.b. and characterize the subsurface (soils, saturation, and bedrocks). This includes the elevation of redoximorphic features (mottling), gleyed soil and moisture condition.
- (2) A general location map drawing of the livestock facility site which shall include:
 - a. The location of structures in relation to buildings, homes, property lines, roads, wells, karst features, public or private drainage ditches and creeks, flowages, rivers, streams, lakes, or wetlands within one thousand (1000) feet of the proposed facility or system.
 - b. The location of any wells within two hundred fifty (250) feet of the facility.
 - c. The scale of the drawing and the north arrow with the date the general location map was prepared.
 - d. The location of any floodplains.
- (3) An engineering design drawing of the manure storage facility or waste transfer system, which shall include:
 - a. Specific design components that shall comply with Technical Standards 313, 634, and any additional applicable Technical Standards.
 - b. A recoverable benchmark(s), including elevation(s) expressed in feet and tenths.
 - c. The scale of the drawings and the north arrow. The engineering design drawing shall be drawn to a scale no smaller than one (1) inch equals one hundred (100) feet.
 - d. The date the engineering design drawings were prepared.
 - e. The engineering stamp of a licensed professional engineer.
- (4) The structural details, including but not limited to dimensions, cross-sections, concrete thickness, concrete joint design and placement, design loads, design computations, reinforcement schedules, thickness and placement of groundwater protection liners, and all material specifications. Provisions for adequate drainage and control of runoff to prevent pollution of surface water and groundwater.
- (5) A construction site erosion control plan.
- (6) Estimated start of construction and construction schedule.
- (7) A safety plan that identifies hazards to animals and people in the production area, and design features to minimize those hazards.

- (8) An operation and maintenance plan for installed practices.
 - (9) A nutrient management plan prepared in compliance with the requirements of this Ordinance.
 - (10) Other additional information requested by the Department to comply with this Ordinance.
- (e) *Manure Storage Closure Plan Required.* Each application for a closure permit under Sec. 62-191 shall be on a form provided by the Department and include a closure plan. The closure plan shall include:
- (1) A general location map drawing of the manure storage facility, which shall include:
 - a. The location of the manure storage facility in relation to buildings, homes, property lines, roads, wells, karst features, public or private drainage ditches and creeks, flowages, rivers, streams, lakes, or wetlands within one thousand (1000) feet of the existing manure storage facility.
 - b. The scale of the drawing and the north arrow.
 - c. The date the general location map was prepared.
 - (2) A description of the method and specifications in transferring manure into and from the manure storage facility to ensure proper closure of manure transfer systems.
 - (3) Provisions to remove or permanently plug the manure transfer system serving the manure storage facility.
 - (4) Provisions to remove and properly dispose of all accumulated manure in the manure facility in compliance with applicable standards contained in the NRCS Technical Guide.
 - (5) Provisions and references to assure compliance with applicable standards contained in the NRCS Technical Guide.
 - (6) Provisions to implement safety measures to ensure the protection of the public from hazardous conditions.
 - (7) For proposals to convert the manure storage facility to an alternative use, including the storage of other water materials, a detailed description of the intended alternative use, including a site specific engineering analysis that demonstrates to the Department provides an assurance that the conversion will not result in a degradation of ground and/or surface waters or be a threat to public health, safety, or general welfare.
 - (8) Any other additional information required by the County to protect water quality and achieve compliance with the requirements of this Ordinance.

(f) *Permit Provisions.*

- (1) *Manure Storage Construction.* Permit applications under this Section 62-191 shall provide sufficient documentation to demonstrate that a new or substantially altered storage facility:
 - a. Is designed in accordance with the following technical standards:
 1. Technical Standard 313.
 2. Technical Standard 634.
 - b. Meets the performance standards in Sec. 62-190(c).
 - (2) *Manure Storage Closure.* Permit applications under sub. (e) shall provide sufficient documentation to demonstrate that the plan for manure storage facility closure meets Technical Standard 360.
 - (3) *Manure and Nutrient Management.* Nutrient management plans submitted under sub. (d) and sub. (e), if needed, shall comply with Technical Standard 590, ATCP 50.04(3), Wis. Admin. Code, and NR 151.07, Wis. Admin. Code.
 - (4) *Other Standards.* Other technical guides such as AWMFH or EFH may be used to evaluate compliance with the requirements of this Ordinance.
 - (5) *Incorporation of Standards and Specifications.* All standards and specifications are incorporated by reference and made part of this Ordinance. Any future amendment, revision, or modification of the standards or specifications incorporated herein are made a part of this Ordinance, unless the Committee specifically acts to adopt a different version. Copies of all applicable standards and specifications may be obtained from the permitting authority or on the county's website at www.chippewa.co.us.
 - (6) *Certification.* All permit applications must include a certification provided by a qualified person that designs and plans meet the technical standards and specifications in this subsection.
 - (7) *Variances.* Variances from these standards and specifications can only be granted in accordance with Sec. 62-195 of this Ordinance.
- (g) *Review of Application.* The Department shall receive and review all permit applications and shall determine if the proposed facility meets required standards set forth in this Ordinance. Within forty-five (45) calendar days after receiving the completed application and fee, the Department shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the Department shall so notify the permit applicant. The Department shall have thirty (30) calendar days from the receipt of the additional information in which to approve or disapprove the application. No construction may commence without the final approval form issued by the Department.

- (h) *Permit Approval Conditions.* All permits issued under this Ordinance shall be issued subject to the following conditions and requirements.
- (1) Facility and system design, construction, and closure shall be carried out in accordance with the approved plans and applicable standards.
 - (2) Permittees must obtain all required permits and authorization before commencing construction activities.
- Note:* DNR and other permits may be needed for construction site erosion control and stormwater management, floodplain and shoreland construction, and livestock facilities with 1,000 or more animal units.
- (3) The permittee shall provide five (5) working days written notice to the Department before starting any construction activity authorized by the permit.
 - (4) Approval in writing must be obtained from the Department prior to making any changes or modifications to the approved plans and specifications.
 - (5) Following completion of construction and prior to use, an agricultural or civil engineer registered in the State of Wisconsin, or DATCP or NRCS or Department engineering practitioner and the permittee and, if applicable, the contractor, shall certify in writing on forms provided by the Department that all facilities and systems were installed as planned, including as-built dimensions and changes or modifications as authorized per sub. (h)(4) made during construction.
 - (6) The Department shall provide onsite inspection and final approval for all construction projects conducted under a permit issued under this Ordinance. To receive final approval, a manure storage facility must be fully constructed as designed, including the marking of the maximum operating level and implementation of all safety devices.
 - (7) No permitted manure storage facility may receive manure until the Department provides its final approval. No manure may be emptied from a permitted manure storage facility until the Department approves the nutrient management plan submitted by the applicant.
- (i) *Permit Implementation.* All planning and construction-related activities authorized by a permit shall be completed within two (2) years from the date of issuance after which time such permit shall be voided, unless otherwise extended by the Department.
- (j) *Permit Term and Duration.* Permits issued under this Ordinance shall extend for a period of twenty-five (25) years, and shall be subject to review and renewal under Sec. 62-191 at the end of the permit term.
- (k) *Permit Revocation.* In addition to any other actions authorized under this Ordinance, the Department may revoke any permit issued under this Ordinance if the holder of the permit has misrepresented any material fact in the permit application, plan, or specification, or if the holder of the permit violates any of the conditions of the permit. The decision of the Department may be appealed to the Board of Adjustment pursuant to Sec. 62-195(a).

Sec. 62-192. Certificate of Compliance.

- (a) *Certificate of Compliance Purpose.* The purpose of a certificate of compliance is to monitor and regulate the management of manure and nutrients from agricultural operations and to assure the adequacy of related nutrient management practices.
- (b) *Certificate of Compliance Requirement.* No person may operate or use a manure storage facility permitted under Sec. 62-191 unless the person has a valid certificate of compliance for the permitted manure storage facility that is being operated or used.
- (c) *Issuance to Permitted Manure Storage Facility Owners.* The Department may issue a certificate of compliance upon the operator's compliance with performance standards and prohibitions in Sec. 62-190. The certificate of compliance shall remain in effect for as long as the manure storage facility owner or operator does all of the following:
 - (1) Updates and follows an annual nutrient management plan that complies with requirements in this Ordinance, and covers all manure that is land applied from the manure storage facility for which the certificate of compliance is issued.
 - (2) Provides a nutrient management plan checklist annually to the Department by a date specified by the Department, to document compliance with requirements of this Ordinance. The Department may require the manure storage facility owner or operator to submit the documentation to substantiate the planner's answer to one or more questions on the nutrient management checklist. The Department may take appropriate action authorized by this Ordinance if the submitted documentation does not reasonably substantiate a checklist answer.
 - (3) Properly operates the manure storage facility in accordance with performance standards and prohibitions in Sec. 62-190(c) and consistent with the recommended operating methods as defined by the NRCS Technical Guide.
 - (4) Properly maintains the manure storage facility free from visible and serious damage, erosion, or deformities that would impair the manure storage facility's safety or function as determined by the NRCS Technical Guide.
 - (5) Properly maintains the safety devices for a manure storage facility.
 - (6) Provides the Department proof of compliance with the requirements in Sec. 62-190(c) by participating in a periodic reporting and self-certification process administered by the Department, and submitting to periodic inspections of the manure storage facility upon advance notice from the Department.
 - (7) Develops and implements a plan for closure of the manure storage facility when the operator ceases use of the manure storage facility or closure is required based on conditions specified in this Ordinance.
 - (8) Provides notice to the Department and any would-be buyers at the time of real estate transfer for parcels subject to the certificate of use.

(d) *Issuance to Cropland Owners*

The Department may issue a certificate of compliance upon the cropland owner's compliance with agricultural performance standards and prohibitions in Sec. 62-190(e). The certificate shall remain in effect for as long as the cropland owner or operator does the following:

- (1) Updates and follows an annual nutrient management plan that complies with requirements in this Ordinance, and covers all manure land applied from the manure storage facility for which the certificate of compliance is issued.
- (2) Provides a nutrient management plan checklist annually to the Department by a specified date to document compliance with Ordinance requirements. The Department may require the cropland owner or operator to submit the documentation to substantiate the answer of a nutrient management planner who is qualified under ATCP 50.48, Wis. Admin. Code, to address one or more questions on the nutrient management checklist. The Department may take appropriate action authorized by this Ordinance if the submitted documentation does not reasonably substantiate a checklist answer.
- (3) Properly operates the cropland and pasture land in accordance with performance standards and prohibitions in Sec. 62-190(d) and (e).

- (e) *Certificate of Compliance Revocation.* In addition to any other actions specified under this Ordinance, the Department may revoke a certificate of use if there is a misrepresentation of any material fact in the documents submitted in connection with the certificate of compliance, a misrepresentation of any material fact in the management plan, a failure to submit required documentation or allow inspection, a condition that immediately threatens public health and safety, or for multiple or repeat violations of this Ordinance. The landowner will be immediately provided written notice of the revocation and the reasons for the revocation. No manure be added to or removed from a manure storage facility for which the certificate of compliance has been revoked.

Sec. 62-193. Administration and Enforcement.

- (a) *Delegation of Authority.* The Chippewa County Board of Supervisors hereby designates the Department to administer and enforce this Ordinance.
- (b) *Administrative Duties.* In the administration and enforcement of this Ordinance, the Director or the Director's designated representative shall:
- (1) Keep an accurate record of all permit applications, animal waste facility plans, nutrient management plans, permits issued, inspections made, and other official actions.
 - (2) Review permit applications and issue permits in accordance with Section 62-191 of this Ordinance.
 - (3) Conduct, or cause to conduct, reviews of the nutrient management plans and their implementations.

- (4) Conduct or cause to conduct, reviews of the nutrient management plans and their implementation.
 - (5) Implement the performance standards and prohibitions in accordance with Section 62-190 of this Ordinance.
 - (6) Review certificate applications and issue and record certificates of compliance in accordance with Section 62-192 of this Ordinance.
 - (7) Investigate complaints relating to compliance with the requirements of this Ordinance and act upon the findings in accordance with provisions of this Ordinance.
 - (8) Perform other duties as specified in this Ordinance.
- (c) *Inspection Authority.* The Director or the Director's designated representative is authorized to enter upon any lands affected by this Ordinance to inspect the land, and request records to determine compliance with this Ordinance, including inspection of sites prior to or after the issuance of a permit or certificate of compliance, and sites with unpermitted manure storage facilities. If permission cannot be received from the applicant or permittee, entry by the Director or the Director's designated representative may proceed in accordance with Sec. 66.0119, Stats. Refusal to grant permission to enter lands affected by this Ordinance for purposes of inspection shall be grounds for permit denial or revocation. The Department may take any action authorized by this Ordinance to enforce this right of inspection.
- (d) *Enforcement Authority.* In addition to the authority to revoke permits and certificates of compliance specified in this Ordinance, the Director or the Director's designated representative is authorized to issue Stop Work Orders. The Director or the Director's designated representative is authorized to post an order stopping work upon land that has had a permit or certificate of compliance revoked or on land currently undergoing activity in violation of this Ordinance. Notice is given by both posting upon the land where the violation occurs one or more copies of the order stating the violation, and by mailing a copy of the order by certified mail to the person whose activity is in violation of this Ordinance. The order shall specify that the activity must cease immediately or be brought into compliance within five (5) calendar days.
- (e) *Stop Work Order Authority.* Any permit revocation or order stopping work shall remain in effect unless retracted by the Director or the Director's designated representative, the Board of Adjustment, or by a court of general jurisdiction; or until the activity is brought into compliance with this Ordinance. The Director or the Director's designated representative is authorized to refer any violation of this Ordinance or of any stop work order issued pursuant to this Ordinance to the Corporation Counsel for commencement of further legal proceedings.
- (f) *Abatement Order Authority.* The Director or the Director's designated representative may issue an order to abate any violation of this Ordinance with proper authorization. In the event an offense is not abated as ordered, the Department may take such action as is necessary to abate the offense and the cost of such abatement will become a lien upon the person's property and may be collected in the same manner as other taxes.

- (g) *NR 151 Procedures.* The Director or the Director's designated representative shall follow the procedures in Wis. Admin. Code NR 151.09, Wis. Admin. Code to implement and enforce the cropland performance standards and the procedures in NR 151.095, Wis. Admin. Code to implement and enforce the livestock performance standards.
- (h) *Citation and Referral Authority.* The Director or the Director's designated representative shall have the authority to issue citations for violations of this Ordinance. The Director or the Director's designated representative may refer a violation of this Ordinance to Corporation Counsel to pursue legal action, including but not limited to the enforcement of any part of this Ordinance through injunctions or restraining orders.
- (i) *Other Lawful Remedies.* Nothing in this section may be construed to prevent the Department from using any other lawful means to enforce this Ordinance.

Sec. 62-194. Violations.

- (a) It is unlawful for a person to violate any provisions of this Ordinance or any condition contained in a permit or certificate issued pursuant to this Ordinance.
- (b) It is unlawful for any person to knowingly provide false information, make a false statement, or fail to provide or misrepresent any material fact to a county agent, board, commission, committee, department, employee, officer, or official acting in an official capacity under this Ordinance.
- (c) It is unlawful for a person to disobey, fail, neglect, or refuse to comply with; or otherwise resist an order issued pursuant to this Ordinance.
- (d) A separate offense is deemed committed on each day that a violation occurs or continues.
- (e) A person shall, upon conviction for a violation of this Ordinance, be subject to a forfeiture of not less than \$100.00, together with the costs in such action, and not more than \$500.00, together with the costs of such action, for each violation.

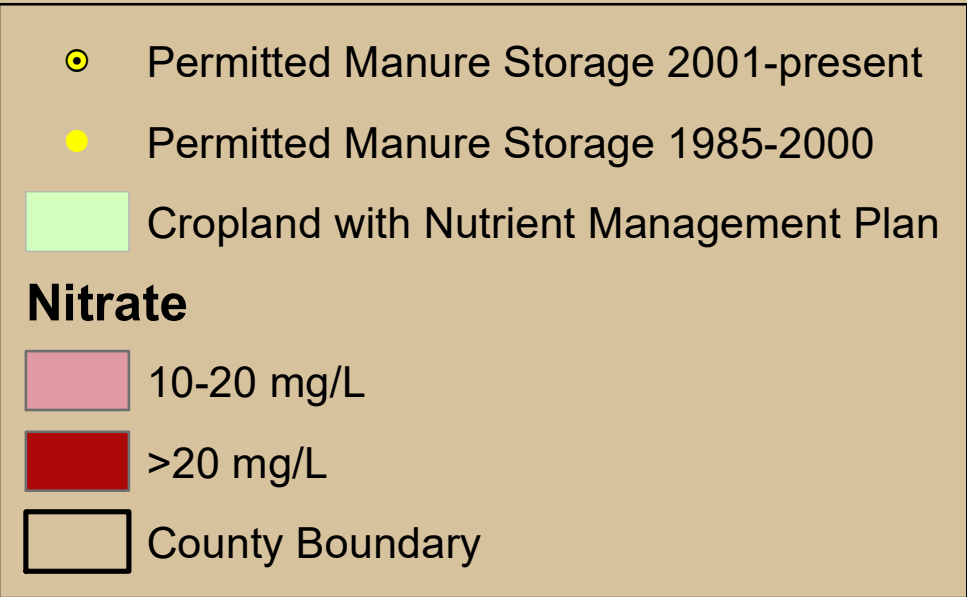
Sec. 62-195. Appeals and Variances.

- (a) *Appeals.*
 - (1) Under authority of Chapter 68, Wis. Stats., the Chippewa County Board of Adjustment, created under Section 59.69, Wis. Stats., and acting as an appeal authority under Section 59.69, Wis. Stats., is authorized to hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination by the permitting authority in administering this Ordinance.
 - (2) Any person having a substantial interest, which is adversely affected by the order, requirement, decision, or determination made under this Ordinance may file an appeal.
 - (3) All appeals shall specify written evidence and the reason for the request, including which requirements from this Ordinance are involved, and shall be filed via certified mail.

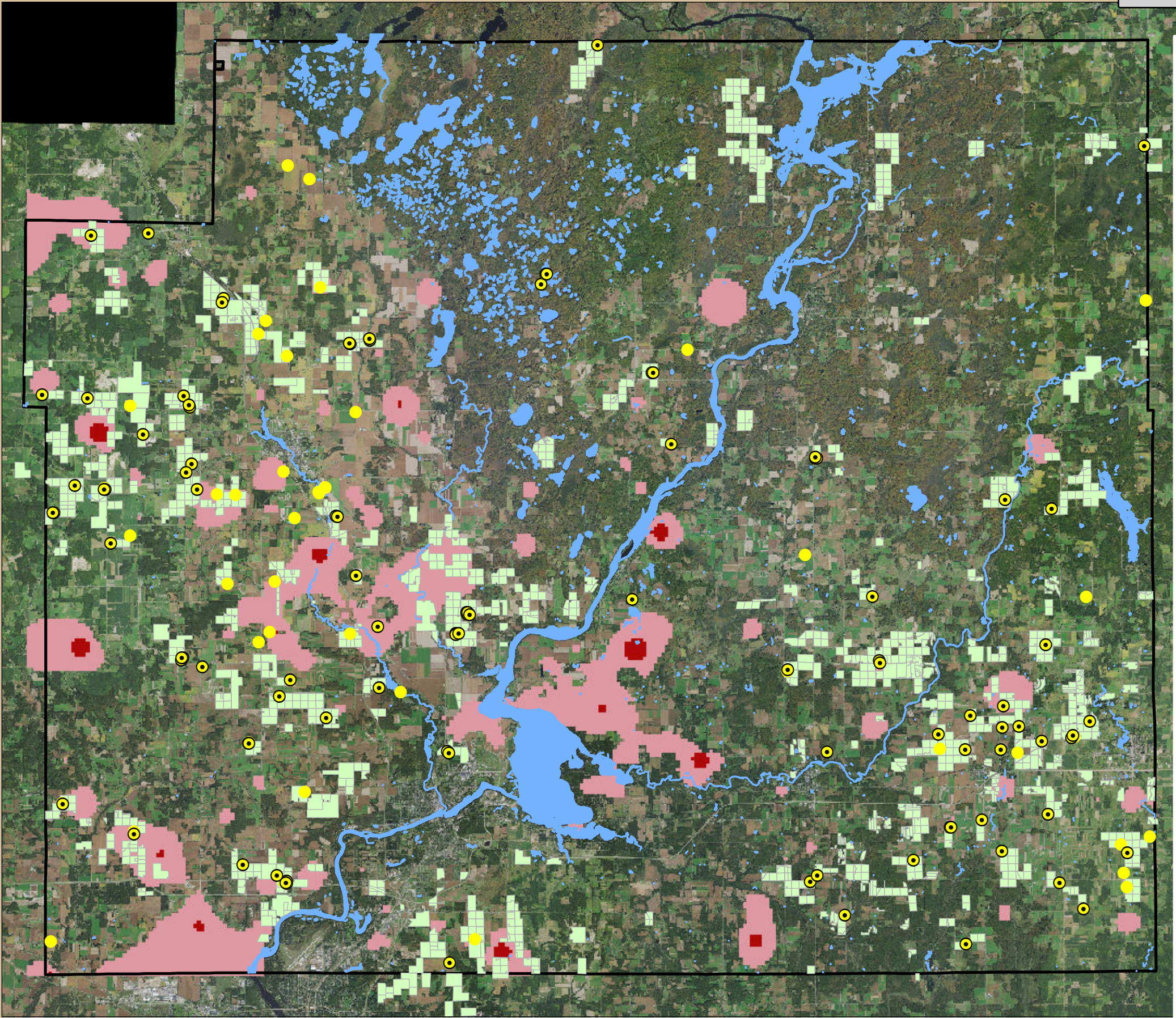
- (4) Upon receipt of the appeal, the Board of Adjustment shall set a meeting to hear the appeal.
 - (5) A written decision shall be mailed to the appellant within thirty (30) days of the appeal. The decision will affirm, deny, or modify the initial determination.
 - (6) The rules, procedures, duties, and powers of the Board of Adjustment shall apply to appeals filed under this section.
- (b) *Variances.*
- (1) The Board of Adjustments may, upon appeal, authorize a variance from the standards requirements of this Ordinance when, upon showing by the applicant, unnecessary hardship would result from literal enforcement of this Ordinance.
 - (2) A variance shall:
 - a. Be consistent with the spirit and purpose of this Ordinance.
 - b. Be based on unique circumstances and not to the general conditions of the area.
 - c. Not be granted for a self-created hardship.
 - d. Not permit an activity or practice that may fail structurally or otherwise, and cause significant water pollution or other off-site impacts.
 - e. Not be granted if the variance will result in an outcome that is contrary to the public interest and be damaging to the rights of other persons.
 - f. Not be granted solely on the basis of economic gain or loss.
 - g. Not be granted solely on the fact that certain conditions existed prior to the effective date of the Ordinance.
 - (3) No variance from the standards in the Technical Guide may be approved unless the county receives a variance or waiver from the technical standards through the NRCS, or other qualified engineering authority. If public funds are involved, this may be a program requirement.
 - (4) No variance from the performance standards and prohibitions in Sec. 62-190 may be granted unless the county complies with the variance requirements specified in NR 151.097, Wis. Admin. Code, and receives approval from the Department of Natural Resources. Requests for a variance shall be made in writing and shall provide information documenting the following:
 - a. Compliance with the performance standard or technical standard is not feasible due to site conditions.

- b. The landowner or operator will implement best management practices or other corrective measures that ensure a level of pollution control that will achieve a level of water quality protection comparable to that afforded by the performance standards in ch. NR 151.
- c. The landowner or operator, or their agents or assigns, did not create the conditions for which the variance is requested.

Groundwater Nitrate Concentrations that Exceed 10 mg/L in Proximity to Permitted Manure Storage Structures & Associated Cropland with a Nutrient Management Plan

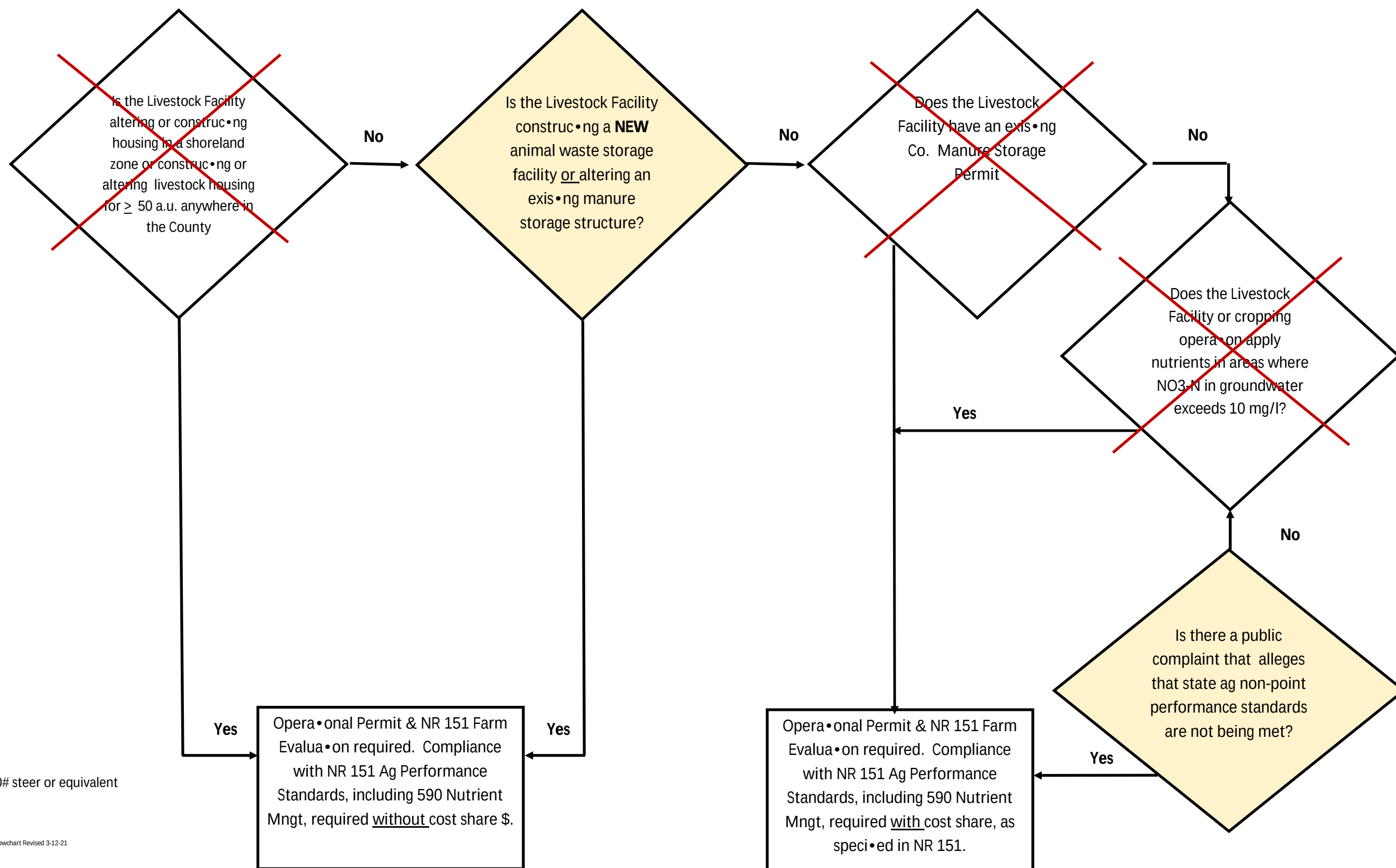


Source: Nitrate information provided by K. Masarik, 2016 UWSP Groundwater Study



Aerial Photo 2014

STAFF RECOMMENDATION FOR CONCEPTUAL APPROACH TO REGULATE LIVESTOCK FACILITIES & CROPPING OPERATIONS BY APPLYING THE STATE'S AG NONPOINT PERFORMANCE STANDARDS AND PROHIBITIONS THROUGH TIME IN CHIPPEWA COUNTY



Note *-(1) animal unit = (1) 1000# steer or equivalent

May 18, 2021

Chippewa County
Land Conservation and Forest Management Committee
Dan Masterpole

Chippewa County Ag Performance Standards, Manure Storage and Livestock Facility Ordinance

We have had members review the revised draft of standards and encourage the committee to move forward to public hearing. We are thankful for Mr. Masterpole meeting with area farmers and allowing for input by producers that are impacted by these standards.

Sincerely,

Bob Panzer
President Chippewa County Farm Bureau