DRAFT

# CHIPPEWA COUNTY

## LAND CONSERVATION & FOREST MANAGEMENT COMMITTEE

## REGULAR MEETING

## SEPTEMBER 15, 2021

## CHIPPEWA COUNTY COURTHOUSE, RM 302

## 4:30 PM

## 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 | Late | 4:35 PM |

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

Members of the public present, as identified, were C. Anderson (Mathy Construction), D. Barrickman, D. Carlson, J. Gaier (Kramer Mining & Materials), T. Klein (Pheasants Forever), C. Nagle, and B. Wierman.

## 3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

B. Wierman, Treasurer of the Lake Wissota Improvement & Protection Association (LWIPA), addressed the Committee. He expressed support for a proposal to extend the cooperative agreement between Chippewa County and LWIPA to administer the Lake Wissota Stewardship Project.

C. Nagle, representative of Save the Cobban Bridge, addressed the Committee. He presented a conceptual proposal to salvage a portion of the historic Cobban Bridge, and use it on the Old Abe Trail. He requested that this proposal be scheduled as an agenda item for Committee discussion.

## 4. CONSENT AGENDA

1. Approve the Agenda

2. Approve the Minutes

   Land Conservation & Forest Management Committee - Regular Meeting - Aug 18, 2021 4:30 PM

3. Schedule Next Meeting Date - October 20, 2021

## 5. PUBLIC HEARING TO SOLICIT COMMENTS ON ORDINANCE TO AMEND CHAPTER 30, ARTICLE II OF THE CHIPPEWA COUNTY CODE OF ORDINANCES; NONMETALLIC MINING RECLAMATION

1. Overview of Nonmetallic Mining Reclamation Ordinance Amendments - D. Masterpole
   D. Masterpole presented an oral report. The report was supported by the following materials:

   1. Power Point report titled: Overview of Proposed Revisions to the Chippewa County Non-Metallic Mining Reclamation Ordinance, (LCFM 9/15/21 - copy on file & attached).

   2. Public hearing draft titled: Ordinance to Amend Chapter 30, Article II, Division 3, Sections 30-79, 30-81, and 30-82; Chapter 30, Article II, Division 4, Sections 30-102, 30-108 and 30-111; and Chapter 30, Article II, Division 5, Section 30-135 of the Chippewa County Code of Ordinances, (LCFM - Distributed 9/10/21 - copy on file & attached).

   Staff addressed questions.

2. Open Public Hearing.
   The Chair opened the public hearing at 4:59 p.m.

3. Public Comment.
   The following individuals provided verbal testimony for the hearing record: C. Anderson and J. Gaier.

   The Chair distributed copies of written comments submitted for the hearing record from B. Arendt, C. Kaiser, and P. Popple (copies on file).

   The Chair indicated that the comment period for the hearing record will remain open for seven (7) days.

4. Close Public Hearing.
   The Chair closed the public hearing at 5:05 p.m.

   A transcript of the verbal and written comments will be prepared, posted, and provided to the Committee.

## 6. REPORTS

1. Overview of Permit for Access Through County Forest Land; Makela (Former Homme) Parcel, T32N, R8W, Sections 28 & 29 - M. Hansen
   M. Hansen provided an oral report. The report was supported by the following materials:

   1. Draft agreement titled: Access Permit Agreement, (LCFM - Distributed 9/10/21 - copy on file & attached). The agreement will allow the Makela's use of a secondary County Forest Road to access a parcel of land they intend to purchase, currently owned by the Hommes, in the SE SE of Section 29, T32N, R8W. This permit is nearly identical to the Access Permit Agreement offered to the current owners of the property.

   2. Map titled: Exhibit A - Access Permit Agreement with Grant & Melissa Makela, (LCFM - Distributed 9/10/21 - copy on file & attached). The map shows the location of the property, the access corridor and the County Forest boundary.

   There was limited discussion.

2. Overview of Lake Wissota Stewardship Project; 2020-2021 Annual Report - C. Meyer

C. Meyer, Watershed Specialist/Project Manager, presented an oral report. The report was supported by a Power Point report titled: Overview of Lake Wissota Stewardship Project & Status of Program Implementation, (9/15/21 - Distributed 9/10/21 - copy on file & attached).

There was limited discussion. Discussion focused on:

1. The structure of the Lake Wissota Stewardship Project lake/watershed management business model.

2. The defined roles and responsibilities of the County and Lake Wissota Improvement & Protection Association.

3. The water quality modeling and monitoring being conducted as a contributing component of the project.

3. Overview of Request to Extend Cooperative Agreement Between Chippewa Co. & the Lake Wissota Improvement & Protection Assocation to Administer the Lake Wissota Stewardship Project - D. Masterpole

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

1. Correspondence from A. Gordon, (Former President of Lake Wissota Improvement & Protection Association) to R. Scholz (County Administrator), (Received 2/1/21). The correspondence conveys the LWIPA's interest to extend the Lake Wissota Stewardship Project agreement, (Distributed 9/10/21 - copy on file & attached).

2. Email correspondence from D. Barrickman (Current president of Lake Wissota Improvement & Protection Association) to R. Schlotz (Co. Administrator), (9/9/21). The correspondence further conveys the LWIPA's interest to extend the Lake Wissota Stewardship Project, and provides additional detail on a funding proposal, (Copy on file & attached).

3. Proposal titled: A Conceptual Proposal to Extend the Lake Wissota Stewardship Project Contract Using a Soft Close, Pay-As-You Go Funding Approach, (LCFM 9/15/21 - copy on file & attached).

There was general discussion. Discussion focused on:

1. The structure of the lake/watershed business model, and the purpose of the existing agreement and contract with the LWIPA.

2. The financial arrangement between LWIPA and the County, and funding sources used to administer and implement the Lake Wissota Stewardship Project.

3. Project budgeting and time tracking.

4. Overview of Current & Required Covenants & Discuss Application for Chippewa Co. Stewardship Program Matching Grant to Acquire Land for Conservation and Public Use in T31N, R9W, Sec. 12 & 13, Submitted by Pheasants Forever - D. Masterpole

D. Masterpole presented the following materials:

1. Cover letter from M. Moses (Pheasants Forever) to the LCFM Committee regarding submittal

of a Chippewa County Stewardship Program application (Distributed 9/10/21 - copy on file & attached).

2. Application titled: Chippewa County Stewardship Program Application for Nonprofit Conservation Organizations submitted by Pheasants Forever regarding the project named: McCann Creek Fishery Area Addition, (7/8/21), (Distributed 9/10/21 - copy on file & attached).

3. Report titled: Staff Review of an Application Submitted by Pheasants Forever, Inc. for a Chippewa County Stewardship Fund - Match Grant in the Amount of $50,000 Towards the Purchase of ~182.5 Acres in Sections 12 & 13, T31N, R09W, Town of Bloomer, (LCFM 7/15/21 - Distributed 9/10/21 - copy on file & attached). The report outlines the PF proposal, explains the proposed match grant request, and outlines the extent to which the program aligns with program goals, management objectives, and actions established in the Chippewa County Land & Water Resource Management Plan, (2019-2023).

4. Map titled: Proposed McCann Creek Fishery Area Addition - Site Map, (LCFM - copy on file & attached). The map shows the various covenants on the proposed acquisition.

There was limited discussion.

5. Overview of Current Livestock Facility Projects & Permitting Status - K. Clow
K. Clow presented an oral report. The report was supported by a Power Point report titled: Overview of Current Livestock Facility Projects & Permitting Status, (LCFM 9/15/21 - copy on file & attached). The report provided an update on the status of livestock facility projects now receiving technical or financial assistance through the LCFM.

There was limited discussion.

## 7. BUSINESS ITEMS

1. Consider Application for Chippewa Co. Stewardship Program Matching Grant to Acquire Land for Conservation and Public Use in T31N, R9W, Sec. 12 & 13, Submitted by Pheasants Forever - D. Masterpole
Motion to approve (Pheasants Forever, Inc. application for Chippewa Co. Stewardship Program Matching Grant funds to acquire land for conservation and public use in T31N, R9W, Sec. 12 & 13): Steele/Schmitt. Roll call vote called: Supervisor Steele - Yes, Supervisor Sikorski - No, Supervisor Hauser - Yes, Supervisor Schmitt - Yes, FSA Representative Pingel - Yes, Chair Gullickson - No. Motion passes 4-2.

| | |
|---|---|
| **RESULT:** | **APPROVED [4 TO 2]** |
| **MOVER:** | Harold Steele, District 1 (Vice-Chair) |
| **SECONDER:** | Ken Schmitt, District 3 |
| **AYES:** | Steele, Schmitt, Hauser, Pingel |
| **NAYS:** | Gullickson, Sikorski |

## 8. AGENDA ITEMS FOR FUTURE CONSIDERATION
Future agenda items for consideration include discussion of groundwater management in the County.

## 9. ADJOURN

Motion to adjourn: Schmitt/Steele. Motion carried at 6:43 p.m.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Ken Schmitt, District 3 |
| **SECONDER:** | Harold Steele, District 1 (Vice-Chair) |
| **AYES:** | Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel |

# CHIPPEWA COUNTY

## LAND CONSERVATION & FOREST MANAGEMENT COMMITTEE

## REGULAR MEETING

## AUGUST 18, 2021

## CHIPPEWA COUNTY COURTHOUSE, RM 302

## 4:30 PM

Minutes Acceptance: Minutes of Aug 18, 2021 4:30 PM (Consent Agenda)

## 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 indicated that all members were present.

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

Members of the public, as identified, were D. Barrickman, D. Carlson, and S. Gygi.

## 3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

D. Barrickman addressed the Committee as the President of the Lake Wissota Improvement & Protection Association. He expressed support for extending the Lake Wissota Stewardship Project contract and asked that it be put on a future agenda.

## 4. CONSENT AGENDA

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Glen Sikorski, District 2 |
| **SECONDER:** | Ken Schmitt, District 3 |
| **AYES:** | Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel |

1. Approve the agenda

2. Approve the Minutes

   Land Conservation & Forest Management Committee - Regular Meeting - Jul 21, 2021 4:30 PM

   Land Conservation & Forest Management Committee - Special Meeting - Jul 26, 2021 4:30 PM

3. Schedule next meeting date - September 15, 2021

## 5. REPORTS

1. Overview of Results; 2021 County Forest FSC Audit - M. Hansen
   M. Hansen provided an oral report. The report was supported by a email from D. Brown (DNR), (8/9/21) regarding the preliminary SFI/FSC audit findings for Chippewa, Clark, Eau Claire, and Polk counties (Distributed 8/12/21 - copy on file & attached).

   There was limited discussion.

2. Overview of Lakes & Surface Water Grant Programming Status - D. Masterpole
   D. Masterpole presented an oral report. The report was supported by the following materials:

   1. Correspondence to R. Scholz (Co. Administrator) from D. Masterpole (LCFM), (12/11/20), regarding a contract for purchase of services between Chippewa County and Beaver Creek Reserve for lake and flowage management (Distributed 8/12/21 - copy on file & attached).

   2. Work plan titled: Beaver Creek Reserve 2021 Work Plan, (LCFM 1/19/21). The work plan provides a detailed activity schedule with associated product deliverables (Distributed 8/12/21 - copy on file & attached).

   There was general discussion. Discussion focused on the service contract, the activity schedule, and product deliverables.

3. Discuss Application for Chippewa Co. Stewardship Program Matching Grant to Acquire Land for Conservation and Public Use in T31N, R9W, Sec. 12 & 13, Submitted by Pheasants Forever - D. Masterpole
   D. Masterpole presented the following materials:

   1. Cover letter from M. Moses (Pheasants Forever) to LCFM Committee regarding submittal of a Chippewa County Stewardship Program application (Distributed 8/12/21 - copy on file & attached).

   2. Application titled: Chippewa County Stewardship Program Application for Nonprofit Conservation Organizations submitted by Pheasants Forever regarding the project named: McCann Creek Fishery Area Addition, (7/8/21), (Distributed 8/12/21 - copy on file & attached).

   3. Report titled: Staff Review of an Application Submitted by Pheasants Forever, Inc. for a Chippewa County Stewardship Fund - Match Grant in the Amount of $50,000 Towards the Purchase of ~182.5 Acres in Sections 12 & 13, T31N, R09W, Town of Bloomer, (LCFM 7/15/21 - Distributed 8/12/21 - copy on file & attached). The report outlines the PF proposal, explains the proposed match grant request, and outlines the extent to which the program aligns with program goals, management objectives, and actions established in the Chippewa County Land & Water Resource Management Plan, (2019-2023).

   There was general discussion. Discussion focused on:

   1. The purpose of the project and general content of the application and staff report.

Minutes Acceptance: Minutes of Aug 18, 2021 4:30 PM (Consent Agenda)

2. The process used by the State to review and act upon applications to the Knowles-Nelson Stewardship Fund.

3. The timing of the Committee action in relation to the timing of a State decision on the Knowles-Nelson Stewardship Fund application.

## 6. BUSINESS ITEMS

1. Consider Action on Timber Sale Contracts; Non-Compliance on Contracts #1320, #1321, #1322, & #1327 - M. Hansen

M. Hansen provided an oral report. He reported that a contractor who had been awarded Timber Sale Contracts #1302, #1321, #1322, and #1327 on 5/19/21, has not returned the required paperwork after being repeatedly advised that not meeting contract deadlines would result in the termination of those awarded contracts.

There was general discussion. Discussion focused on:

1. The type and location of the timber sales.

2. The terms of the contracts.

Motion that the two (2) contacts that had second bids will be released and ask second bidders if they want it (the sale). On other two (2) contracts, send bonds back to contractor and in two months, put on fall (timber) sale: Steele/Sikorski. Motion carried.

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

2. Consider Resolution to Approve the Cooperative Agreement to Implement a Joint Storm Water Program for the Chippewa Falls Urban Area - D. Masterpole

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

1. Power Point report titled: Overview of Key Changes to the Chippewa Falls Urban Area Storm Water Intermunicipal Agreement, What Changed? (LCFM, August, 2021 - Distributed 8/12/21 - copy on file & attached).

2. Agreement titled: Cooperative Agreement to Implement a Joint Storm Water Program for the Chippewa Falls Urban Area, (LCFM 7/27/21 - Distributed 8/12/21 - copy on file & attached).

Motion to support this contract: Steele/Sikorski. Motion carried.

Minutes Acceptance: Minutes of Aug 18, 2021 4:30 PM (Consent Agenda)

| | | |
|---|---|---|
| **RESULT:** | **FORWARD TO COUNTY BOARD [UNANIMOUS]** | **Next: 9/14/2021 6:00 PM** |
| **MOVER:** | Harold Steele, District 1 (Vice-Chair) | |
| **SECONDER:** | Glen Sikorski, District 2 | |
| **AYES:** | Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel | |

## 7. AGENDA ITEMS FOR FUTURE CONSIDERATION

Future agenda item requests are as follows:

1. Deer Fly Chase permit application.
2. Update on the status of the Homme access permit agreement.
3. Update on the status of the active animal waste storage permits.
4. Update on the status of the non-metallic mine reclamation ordinance revision.

## 8. ADJOURN

Motion to adjourn: Schmitt/Steele. Motion carried at 5:53 p.m.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Ken Schmitt, District 3 |
| **SECONDER:** | Harold Steele, District 1 (Vice-Chair) |
| **AYES:** | Gullickson, Steele, Sikorski, Schmitt, Hauser, Pingel |

Minutes Acceptance: Minutes of Aug 18, 2021 4:30 PM (Consent Agenda)

**STATEMENT OF EXPLANATION**
**OVERVIEW OF NONMETALLIC MINING RECLAMATION ORDINANCE AMENDMENTS**

The purpose of this agenda item is to provide an overview of the public hearing draft of Chapter 30, Article II, of the Chippewa County Code of Ordinances, Article II. Nonmetallic Mining Reclamation.

This overview will be provided using a Power Point report to explain the purpose and rational for the ordinance change, with an opportunity to receive and address questions from the public prior to the hearing.

# Overview of Proposed Revisions to the Chippewa County Non-Metallic Mining Reclamation Ordinance

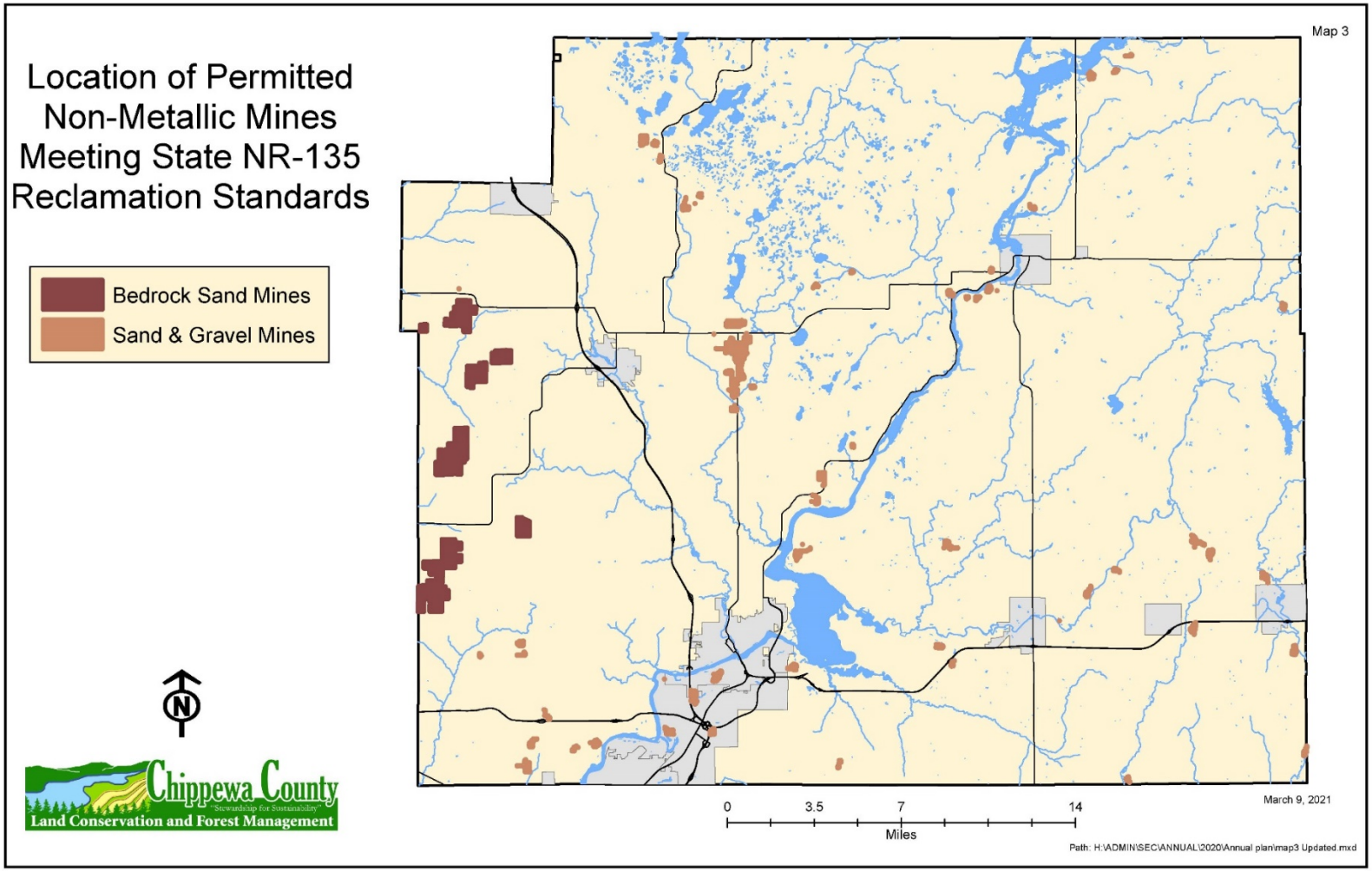
## Public Hearing Summary
## 9/15/21

D. Masterpole

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic



# Dept. of Land Conservation & Forest Management




Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

## Process for Ordinance Revision

| | |
|---|---|
| 9/25/19 - 10/20/20 | Conducted LCFM policy review & scoping |
| 10/21/20 - 8/19/21 | Drafted revised ord. & completed legal review (internal & external) |
| 8/19/21 | Submitted to DNR for formal review & comment (NR 135.45) |
| 9/3/21 - 9/15/21 | Issued public notice & conducted public hearing |

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

## What changed?

- Added or changed language to better describe Section titles
- Added language to clarify administrative procedures & requirements
- Provided cross references to State Laws & Admin. Rules & to clarify requirements for public safety & environmental protection
- Referenced & incorporated appendixes previously used as “administrative guidance”

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

## Added or changed language to better describe Section titles

- Made minor changes to the titles of Ordinance Sections & Subsections

  -Sec. 30-79
  -Sec. 30-81
  -Sec. 30-81(a)
  -Sec. 30-82

Why?

To better describe the purpose of sections

## Added language to clarify administrative procedures & requirements

- Added language to clarify how the "net worth option" can be applied to provide financial assurance

  -Sec. 30-103

- Added language to clarify process for admin. review of a County decision to issue, deny or modify a non-metallic mining reclamation permit

  -Sec. 30-111

Why?

To assure consistency under NR 135.40 and Wis. Stats. 289.41

To provide clarity & assure consistency under NR 135.30 and Wis. Stats. 68 & 227

## Added language to clarify administrative procedures & requirements (Continued)

- Provided authority for County to reduce annual permit fees based upon proportion of mine that has been substantially reclaimed & is being monitored prior to certification

  -Sec. 30-135

## Why?

To provide an incentive for “contemporaneous reclamation” (reclaim as you go) & to meet goal of Wis. Stats. 295

## Provided cross references to State Laws & Admin. Rules

- Added language to clarify methods to assure the stability of highwalls in compliance with requirements of NR 135.10(1)

  -Sec. 30-79(b)

- Added language to more explicitly reference State requirements to control noxious weeds & invasive species

  -Sec. 30-81(b)

Why?

To better clarify requirements for public safety & environmental protection under State laws

Added appendixes, previously used as “administrative guidance”, to better clarify the type of information to be used in planning for, measuring, and certifying mine reclamation

-Appendix I – Plan Specifications for Non-Metallic Mines in Chippewa County

-Appendix II – Reclamation Standards for Non-Metallic Mines in Chippewa County

-Appendix III – Plan Content, Specifications and Engineering Requirements for Non-Metallic Mine Construction in Bedrock

(Continued)

-Appendix IV – Standardized Categories of Post Mining Land Uses and Associated Cover Types for Use in Non-Metallic Mine Reclamation

-Appendix V – Standardized Criteria & Performance Measures to be Applied to Post Mining Land Uses and Associated Land Cover Types to Determine Successful Reclamation

Why?

- To assure greater consistency in development of reclamation plans
- To more clearly define the criteria that could be used to determine when a mine has been “successfully reclaimed”

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

# Overview of Non-Metallic Mining Reclamation Ord. What Changed?



Appendix IV

LCFM 8/18/21

STANDARDIZED CATEGORIES OF POST MINING LAND USES AND ASSOCIATED COVER TYPES FOR USE IN NON-METALLIC MINE RECLAMATION

| POST MINING LAND USE | SUB-CATEGORY | LAND COVER TYPE/PLANT COMMUNITY | MGNT APPROACH/INTENSITY |
|---|---|---|---|
| **Conservation Lands** ① | | | |
| Conservation/Ecological Use | Public Inst.<br>Private Inst. | Forest/Woodland<br>Grassland/Prairie<br>Grassland/Prairie/Forest Savannah<br>Wet/Sedge Meadow<br>Surface water; Shallow Ponded/Deep Ponded<br>Other | Defined in soil rehabilitation & vegetation management plan |
| **Working Lands** ② | | | |
| Forest Production | | Even aged species<br>Mixed aged species<br>Other | Defined in soil rehabilitation & vegetation management plan |
| Agricultural Production | | Pasture<br>Perennial Forage - Conservation Cover<br>Perennial Forage - Hay<br>Cultivated Cropland; Forage Rotation<br>Cultivated Cropland; Row Crop<br>Other | Defined in soil rehabilitation & vegetation management plan |
| **Developed Lands** | | | |
| Residential | Low Density<br>Med. Density<br>High Density | | Defined in Site Development Plan |
| Commercial | Low Intensity<br>Med. Intensity<br>High Intensity | | Defined in Site Development Plan |
| Industrial | Low Intensity<br>Med. Intensity<br>High Intensity | | Defined in Site Development Plan |
| Institutional | Public Inst.<br>Private Inst. | | Defined in Site Development Plan |
| Any other proposed land use category, as defined in an approved comprehensive plan or zoning ordinance, as agreed to by the permitted mine operator and County. | | Any other proposed land cover type/plant community, as agreed to by the permitted mine operator and County. | |

① To determine successful reclamation, the minimum performance period for post mining land uses reclaimed as conservation lands and cover types extends from 3-5 years, commencing the first year after planting.

② To determine successful reclamation, the minimum performance period for post mining land uses reclaimed as working lands and cover types extends from 5-10 years, commencing the first year after planting.

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

# Overview of Non-Metallic Mining Reclamation Ord. What Changed?



Appendix IV

LCFM 8/18/21

STANDARDIZED CATEGORIES OF POST MINING LAND USES AND ASSOCIATED COVER TYPES FOR USE IN NON-METALLIC MINE RECLAMATIOI

| POST MINING LAND USE | SUB-CATEGORY | LAND COVER TYPE/PLANT COMMUNITY | MGNT APPROACH/INTENSITY |
|---|---|---|---|
| **Conservation Lands** (1) | | | |
| Conservation/Ecological Use | Public Inst. | Forest/Woodland | Defined in soil rehabilitation & vegetation management plan |
| | | Grassland/Prairie | |
| | | Grassland/Prairie/Forest Savannah | |
| | Private Inst. | Wet/Sedge Meadow | |
| | | Surface water; Shallow Ponded/Deep Ponded | |
| | | Other | |
| **Working Lands** (2) | | | |
| Forest Production | | Even aged species | Defined in soil rehabilitation & vegetation management plan |
| | | Mixed aged species | |
| | | Other | |
| Agricultural Production | | Pasture | Defined in soil rehabilitation & vegetation management plan |
| | | Perennial Forage - Conservation Cover | |
| | | Perennial Forage - Hay | |
| | | Cultivated Cropland; Forage Rotation | |
| | | Cultivated Cropland; Row Crop | |
| | | Other | |

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

# Overview of Non-Metallic Mining Reclamation Ord. What Changed?



| Developed Lands | | | | |
|---|---|---|---|---|
| Residential | | Low Density<br>Med. Density<br>High Density | | Defined in Site Development Plan |
| Commercial | | Low Intensity<br>Med. Intensity<br>High Intensity | | Defined in Site Development Plan |
| Industrial | | Low Intensity<br>Med. Intensity<br>High Intensity | | Defined in Site Development Plan |
| Institutional | | Public Inst.<br>Private Inst. | | Defined in Site Development Plan |
| Any other proposed land use category, as defined in an approved comprehensive plan or zoning ordinance, as agreed to by the permitted mine operator and County. | | | Any other proposed land cover type/plant community, as agreed to by the permitted mine operator and County. | |

① To determine successful reclamation, the minimum performance period for post mining land uses reclaimed as conservation lands and cover types extends from 3-5 years, commencing the first year after planting.

② To determine successful reclamation, the minimum performance period for post mining land uses reclaimed as working lands and cover types extends from 5-10 years, commencing the first year after planting.

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

# Overview of Non-Metallic Mining Reclamation Ord. What Changed?

Appendix V

LCFM 8/18/21

## STANDARDIZED CRITERIA & PERFORMANCE MEASURES TO BE APPLIED TO POST MINING LAND USES AND ASSOCIATED LAND COVER TYPES TO DETERMINE SUCCESSFUL RECLAMATION

| STANDARDIZED CRITERIA FOR DETERMINING SUCCESSFUL RECLAMATION | QUANTIFABLE PERFORMANCE MEASURES |
|---|---|
| **Site stability** | |
| Sheet & rill erosion | % area of field surface w/rills & deposition |
| Channel & gully erosion | % area of concentrated flows w/channel erosion |
| Mass wasting | % area of field surface & highwall unstable |
| | |
| **Plant density and species diversity** | |
| Plant density | 1. % ground covered by planted & volunteer species |
| | 2. Volume by weight or mass of planted & volunteer species, if applicable |
| Species diversity | % presence of planted & volunteer species |
| Noxious weeds & invasive plant species | % presence of each type; noxious weed & invasive plant species |
| | |
| **Soil chemistry** | |
| Soil acidity | pH |
| Macro nutrient fertility | Concentration of N-P-K (ppm) |
| Soil organic matter | % O.M. |
| | |
| **Soil physical characteristics** | |
| Soil depth | % of original A & B soil horizon depth, measured in comparison to soil survey mapping unit |
| Soil permeability | Soil permeability measured using 6" infiltration ring (inches/hr) |
| Plant rooting depth | Minimum soil depth to support unrestricted root growth for selected cover type, as defined in soil rehabilitation & vegetation management plan |
| | |
| **Other alternative criteria, as agreed to by the permitted mine operator and County** | **Other quantifiable performance measures, as agreed to by the permitted mine operator and County** |
| | |
| | |
| | |

H:\ADMIN\CO_REGS\MINES\NR135\RECLAMATION_PROJECTS\POST MINING LAND USE\[Post Mining Land Uses Chart 8_18_2021 Appendix IV.xls]Sheet1

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

# Overview of Non-Metallic Mining Reclamation Ord. What Changed?

Appendix V

LCFM 8/18/2

## STANDARDIZED CRITERIA & PERFORMANCE MEASURES TO BE APPLIED TO POST MINING LAND USES AND ASSOCIATED LAND COVER TYPES TO DETERMINE SUCCESSFUL RECLAMATION

| STANDARDIZED CRITERIA FOR DETERMINING SUCCESSFUL RECLAMATION | QUANTIFABLE PERFORMANCE MEASURES |
|---|---|
| **Site stability** | |
| Sheet & rill erosion | % area of field surface w/rills & deposition |
| Channel & gully erosion | % area of concentrated flows w/channel erosion |
| Mass wasting | % area of field surface & highwall unstable |
| | |
| **Plant density and species diversity** | |
| Plant density | 1. % ground covered by planted & volunteer species |
| | 2. Volume by weight or mass of planted & volunteer species, if applicable |
| Species diversity | % presence of planted & volunteer species |
| Noxious weeds & invasive plant species | % presence of each type; noxious weed & invasive plant species |
| | |

Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

# Overview of Non-Metallic Mining Reclamation Ord. What Changed?



| | | |
|---|---|---|
| **Soil chemistry** | | |
| Soil acidity | | pH |
| Macro nutrient fertility | | Concentration of N-P-K (ppm) |
| Soil organic matter | | % O.M. |
| | | |
| **Soil physical characteristics** | | |
| Soil depth | | % of original A & B soil horizon depth, measured in comparison to soil survey mapping unit |
| Soil permeability | | Soil permeability measured using 6" infiltration ring (inches/hr) |
| Plant rooting depth | | Minimum soil depth to support unrestricted root growth for selected cover type, as defined in soil rehabilitation & vegetation management plan |
| | | |
| **Other alternative criteria, as agreed to by the permitted mine operator and County** | | **Other quantifiable performance measures, as agreed to by the permitted mine operator and County** |
| | | |
| | | |
| | | |

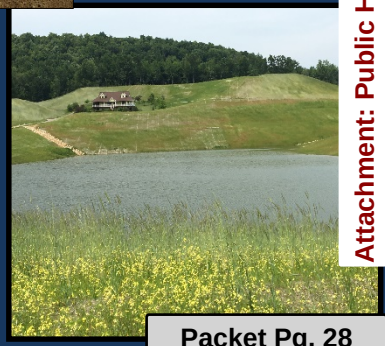
Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

# Dept. of Land Conservation & Forest Management

We would be pleased to address any questions.







Attachment: Public Hearing Power Point NMM Ordinance (6577 : Overview of Nonmetallic

**STATEMENT OF EXPLANATION**
**OPEN PUBLIC HEARING**

The purpose of this agenda item is to open the public hearing on the public hearing draft of Chapter 30, Article II, of the Chippewa County Code of Ordinances, Article II. Nonmetallic Mining Reclamation.

**Ordinance to amend Chapter 30, Article II, Division 3, Sections 30-79, 30-81 and 30-82; Chapter 30, Article II, Division 4, Sections 30-102, 30-103, 30-108 and 30-111; and Chapter 30, Article II, Division 5, Section 30-135 of the Chippewa County Code of Ordinances**

1. That Chapter 30, Article II, Division 3, Sections 30-79, 30-81 and 30-82; Chapter 30, Article II, Division 4, Sections 30-102, 30-103, 30-108 and 30-111; and Chapter 30, Article II, Division 5, Section 30-135 of the Chippewa County Code of Ordinances are hereby amended as follows:

**Chapter 30 ENVIRONMENT**

**ARTICLE II. NONMETALLIC MINING RECLAMATION**

**DIVISION 3. STANDARDS**

**Sec. 30-79. Public health, safety and welfare.**

(a) *Compliance with public health, safety and welfare regulations.* All nonmetallic mining sites shall be reclaimed in a manner to comply with federal, state and local regulations governing public health, safety and welfare.

(b) *Highwalls.* To determine whether designated highwalls in solid bedrock are safe and stable, in a condition consistent with the post-mining land use to be achieved, and not in need of reclamation, the County shall require a site specific engineering analysis be performed by a registered professional engineer to demonstrate that an acceptable slope stability factor is attainable at a steeper slope. In the alternative, the County may require the operator to design, install, and manage a field test plot to demonstrate that a safe and stable condition will be achieved and that the post-mining land use specified in the reclamation plan will not be adversely affected.

(Ord. No. 7-01, § 11(11.13), 7-10-2001)

**Cross references:** Health, ch. 34.

Attachment: Draft NMM Ordinance Highlights 8-25-21 (6574 : Open Public Hearing)

**Sec. 30-81. Environmental protection, zoning and land use control.**

(a) *Compliance with environmental protection, zoning and land us control regulations.* Reclamation of nonmetallic mining sites shall comply with any other applicable federal, state and local laws including those related to environmental protection, zoning and land use control. Note: Other applicable environmental, zoning or land use regulations may include Wis. Admin. Code NR chs. 103, 115, 116, 117, 205, 216, 269, 105, 106, 140, 150, 340, 500, 590, and 812, Wis. Stats. chs. 30 and 91, and Section 404 of the Clean Water Act (33 USC 1344), which may be applicable to all or part of either an existing or proposed nonmetallic mining project.

(b) *Noxious weeds and invasive species.* Disturbed mine sites that are being actively mined, are subject to intermittent mining, or are undergoing reclamation, shall comply with Wis. Stats. §66.0407 and 23.22(2)(a), and Chapter NR 40, Wis. Admin. Code, to control the growth and proliferation of noxious weeds and invasive species.

(Ord. No. 7-01, § 11(11.15), 7-10-2001)

**Sec. 30-82. Surface water and wetlands protection.**

(a) *Compliance with water quality standards*. Nonmetallic mining reclamation shall be conducted and completed in a manner that assures compliance with water quality standards for surface waters and wetlands contained in Wis. Admin. Code NR chs. 102 through 105. Before disturbing the surface of a nonmetallic mining site and removing topsoil, all necessary measures for diversion and drainage of runoff from the site to prevent pollution of waters of the state shall be installed in accordance with the reclamation plans approved pursuant to an applicable reclamation ordinance. Diverted or channelized runoff resulting from reclamation may not adversely affect neighboring properties.

(Ord. No. 7-01, § 11(11.20), 7-10-2001)

Attachment: Draft NMM Ordinance Highlights 8-25-21 (6574 : Open Public Hearing)

**DIVISION 4. PERMITTING**

**Sec. 30-102. Reclamation plan.**

(a) *Reclamation plan requirements.* All operators of nonmetallic mining sites subject to this article shall prepare and submit a reclamation plan that meets the requirements of Wis. Admin. Code NR § 135.19 and specifications for plans as established in *Plan Specifications for Non-Metallic Mines in Chippewa County*, included under this ordinance as Appendix I; and *Reclamation Standards for Non-Metallic Mines in Chippewa County*, included under this ordinance as Appendix II; and when applicable, in *Plan Content, Specifications, and Engineering Requirements for Non-Metallic Mine Construction in Bedrock*, included under this ordinance as Appendix III, on file in the Department of Land Conservation and Forest Management.

(1) To achieve consistency, clarity, and the attainment of standards under NR 135, Subchapter II, the proposed land uses shall be consistent with the *Standardized Categories of Post Mining Land Uses and Associated Cover Types for Use in Nonmetallic Mine Reclamation*, and included under this ordinance as Appendix IV.

(2) To achieve consistency, clarity, and the attainment of standards under NR 135, Subchapter II, the proposed criteria for successful reclamation shall be consistent with the *Standardized Criteria and Performance Measures to be Applied to Post Mining Land Uses and Associated Cover Types to Determine Reclamation Success*, and included under this ordinance as Appendix V.

(b) *Existing mines.* The operator of any nonmetallic mining site that submits an automatic permit application in conformance with subsection 30-101(b) shall submit the reclamation plan required by subsection (a) of this section by the deadline date, which applies to each operation as follows:

TABLE INSET:

| | |
|---|---|
| Municipal facilities..... | August 1, 2002 |
| Zoned Municipalities (without active zoning permit)..... | August 1,2002 |
| Zoned Municipalities (with active zoning permit)..... | August 1, 2003 |
| Unzoned Municipalities..... | August 1, 2003 |
| Inactive Sites, Zoned and Unzoned Municipalities..... | August 1, 2004 |

(c) *New mines.* The operator of any nonmetallic mining site that applies for a permit in conformance with subsection 30-101(c) shall submit the reclamation plan required by subsection (a) of this section with its application for a reclamation permit.

(d) *Existing plans and approvals.* To avoid duplication of effort, the reclamation plan required by subsection (a) of this section may, by reference, incorporate existing plans or materials that meet the requirements of this article. Previous approvals for nonmetallic mining sites that apply in accordance with subsection 30-101(b) shall satisfy the requirements of subsection (a) of this section if they meet the requirements of Wis. Admin. Code NR § 135.21(1)(d).

Attachment: Draft NMM Ordinance Highlights 8-25-21 (6574 : Open Public Hearing)

(e) *Approval of reclamation plan.* The administrative authority shall approve, conditionally approve or deny the reclamation plan submitted under this section in writing as part of permit issuance pursuant to subsection 30-105(b) for existing mines and subsection 30-105(d) for new mines. Conditional approvals of reclamation plans shall be made according to the subsection 30-105(g), and denials of reclamation plans made according to section 30-106. The operator shall keep a copy of the reclamation plan required by this section, once approved by the county under this article, at the mine site or, if not practicable, at the operator's nearest office or place of business.

(Ord. No. 7-01, § 13, 7-10-2001) (Ord. No. 08-12, 03-12-2012)

**Sec. 30-103. Financial assurance.**

(a) *Financial assurance requirements.* All operators of nonmetallic mining sites in the county shall prepare and submit a proof of financial assurance of successful reclamation that meets the requirements of Wis. Admin. Code NR § 135.40.

An eligible operator, qualifying as a company as defined under Wis. Stats. 289.41(1)(b), that seeks to meet its financial assurance obligation under the net worth test of NR 135.40(13) shall submit the data and financial information provided in the opinion of a certified public accountant, as required by NR 135.40(13)(a) through (e), and Wis. Stats. 289.41(4), (5) and (6).

(b) *Existing mines.* The operator of any nonmetallic mining site that applies for an automatic reclamation permit in conformance with subsection 30-101(b) shall submit the proof of financial assurance required by subsection (a) of this section no later than the deadline date for reclamation plan submittal as specified in subsection 30-102(a).

(c) *New mines.* The operator of any nonmetallic mining site that applies for a reclamation permit in conformance with subsection 30-101(c) shall submit the proof of financial assurance required by subsection (a) of this section as specified in the reclamation permit issued to it under this article.

(d) *Public nonmetallic mining.* The financial assurance requirements of this section do not apply to nonmetallic mining conducted by the state, a state agency, board, commission or department, or a municipality.

(Ord. No. 7-01, § 14, 7-10-2001)

Attachment: Draft NMM Ordinance Highlights 8-25-21 (6574 : Open Public Hearing)

**Sec. 30-111. Review.**

Pursuant to Wis. Admin. Code NR § 135.30, and notwithstanding ss. 68.001, 68.03(8) and (9), 68.06 and 68.10(1)(b), Stats., any person who meets the requirements of s. 227.42(1), Stats., may obtain a contested case hearing under s. 68.11, Stats., on the county's decision to issue, deny, or modify a nonmetallic mining reclamation permit. Pursuant to Wis. Admin. Code NR s.135.43(2), and notwithstanding ss. 68.001, 68.03(8) and (9), 68.06 and 68.10(1)(b), Stats., a person holding a reclamation permit who is subject to an order issued under Wis. Admin. Code NR sec. 135.43(1)(a) and (b),may obtain a contested case hearing under s. 68.11, Stats..

A contested case hearing under this article shall be conducted by an impartial decision maker provided by the County. The impartial decision maker may be a licensed attorney, administrative law judge, or retired circuit court judge; or an officer, committee, board, commission or the governing body who did not participate in making or reviewing the initial determination. In addition to conducting the hearing, the person shall make the decision on the administrative appeal. In the alternative, the County may provide that the impartial person, committee, board or commission designated to conduct the hearing shall report to the decision maker, as set forth in s. 68.11(2), Stats.

(Ord. No. 7-01, § 22, 7-10-2001)

Secs. 30-112--30-130. Reserved.

Attachment: Draft NMM Ordinance Highlights 8-25-21 (6574 : Open Public Hearing)

**DIVISION 5. ADMINISTRATION***

***Cross references:** General Government and Administration, ch. 2.

(Ord. No. 7-18; 08-14-2018)

**Sec. 30-135. Annual fees.**

(a) *Areas subject to fees, procedures and deadline.* Operators of all nonmetallic mining sites subject to reclamation permits issued under this article shall submit an annual fee to the county Department of Land Conservation and Forest Management. Fees paid under this section shall include both a share for the state DNR under subsection (b) of this section and a share for the county under subsection (c) of this section that equals as closely as possible the costs of examination and approval of nonmetallic mining reclamation plans and the inspection of nonmetallic mining reclamation-sites. These fees shall be calculated based on amount of unreclaimed acres of each site, as defined in Wis. Admin. Code NR § 135.39(1) and according to its provisions. Such fees apply to a calendar year or any part of a year in which nonmetallic mining takes place, until final reclamation is certified as complete under section 30-137. Fees shall be paid no later than December 31 before the year for which they apply.

(b) *State DNR share of fee.* Fees paid under this section shall include a share for the state DNR equal to the amount specified in Wis. Admin. Code NR § 135.39(3). For sites on which no nonmetallic mining has taken place during a calendar year, fees to be paid under this section for the following year shall be the amount specified in the permit fee schedule.

(c) *County share of fee.* Fees paid under this section shall also include an annual fee due to the county, which shall be the amount specified in the section 30-156.

(d) *Reduced fee for inactive mines.* Any site on which no nonmetallic mining activity has taken place in a calendar year, and where no activity is planned for the following calendar year, shall be assessed at a reduced fee as specified in 30-156.

(e) *Reduced fee for areas pending certification of completed reclamation.* To encourage contemporaneous reclamation, the County may reduce annual fees for areas pending certification of completed reclamation pursuant to NR 135.40(7), based upon the proportion of the mine where final grades and slopes have been reestablished, topsoil has been reapplied, and planned cover types have been established.

(Ord. No. 7-01, § 27, 7-10-2001) (Ord. No. 08-12, 03-12-2012)

2. That these ordinance amendments shall take effect upon passage and publication.

Forwarded to the County Board by the Land Conservation and Forest Management Committee.

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Attachment: Draft NMM Ordinance Highlights 8-25-21 (6574 : Open Public Hearing)

*EXCERPTED FROM NON-METALLIC MINING RECLAMATION Ordinance*
*Revised July 2007 Chippewa County Board*

# APPENDIX I

# PLAN SPECIFICATIONS FOR NON-METALLIC MINES IN CHIPPEWA COUNTY

These standards of plan development are provided to aid applicants for non-metallic mining permits in the development of plans for mine permits and to aid Chippewa County in review of applications for non-metallic mining permits.

Three components of the Site Plan are an Initial Site Description, a Site Operations Plan, and a Final Site Description.

Maps are to show locations and activities referenced in the supporting text. Maps are to be drawn at a scale adequate to convey all required information. Detailed maps are not to be of scale less than 1 inch = 200 feet. Contours intervals for topographic maps is to be 10 feet or less.

1. Initial Site Plan

The Initial Site Plan shall include an initial site map and supporting text.

a. Initial Site Maps, to include:

   i. Location map to indicate general location of the project in the county or ownership;

   ii. topographic map of affected lands;

   iii. property boundaries showing the land under consideration and neighboring parcels located within 660 feet of the project site;

   iv. roads located on or within 660 feet of the project site, with road names indicated;

   v. road right-of-way lines;

   vi. locations of all structures within 660 feet of the site and the use of each structure;

Attachment: APPENDIX I PLAN_SPECS 2021 (6574 : Open Public Hearing)

vii. locations and names of all intermittent and perennial streams and lakes as indicated on USGS 7.5 min topographic maps;

viii. areas which convey concentrated flows to or from the site;

ix. locations of all wetlands within 660 feet of the site;

x. boundaries of previous excavations on the site;

xi. wells within 660 feet of the site;

xii. groundwater elevation at the site and source of the information (boring, county groundwater map, well data, etc); and

xiii. locations of all utilities at the site.

b. Supporting Information for Initial Site Description:

i. Owner and Applicant Information
The name and address of the landowner and name and address of the applicant (if other than the landowner).

ii. Lease(s)
A copy of the signed lease(s) which authorizes an operator to enter upon the lessor's land for the purpose of mining. The expiration date of the lease shall be clearly indicated thereon. A substitute form may be used to verify that a lease is in effect without requiring the entire lease.

iii. Legal Description
A legal description and tax parcel numbers of property subject to application.

iv. Parties of interest
List of names and addresses of parties of interest within 660 feet of the project site.

v. Soil Information
Thicknesses of the A & B soil horizons and the method of determination.

2. Site Operations Plan

The Site Operations Plan shall include a site operations map and supporting text.

a. Site Operations Maps, to include:

Attachment: APPENDIX I PLAN_SPECS 2021 (6574 : Open Public Hearing)

i. Location and description of mining site boundary;

ii. locations of separation boundaries and separation dimensions (from structures, public roads, rights-of-way, zoning districts, etc.) as referenced in Mine Siting Standards;

iii. planned cell boundaries;

iv. location and extent of disturbed areas including the area of excavation, spoils piles, topsoil stock-piles, wash ponds, and/or sediment basins;

v. processing facilities;

vi. location and discharge point of site dewatering systems;

vii. arrows indicating the directions of flow of surface runoff internal and external to the site;

viii. vegetative (i.e. trees) and structural (i.e. berms) measures to be taken to screen the operation from view of surrounding land uses, where required;

ix. roads, culverts, and all points of public road access; and

x. practices to limit onsite erosion and offsite sediment delivery during excavation. Temporary measures may include but need not be limited to the following: water diversions, grassed waterways, sediment basins, filter strips, silt fencing, bale check dams, sod strips, rock riprap, temporary seeding and mulching.

b. Description of Site Operations:

i. Description or list of the type of materials to be extracted;

ii. description or list of the type of extraction and processing activities to be conducted at the site;

iii. estimated volume of materials to be extracted during the operation of each cell, during the permit period, and during the full life of the operation;

iv. methods for site dewatering and effluent discharge. Discharges may require a Wisconsin Pollution Discharge Elimination System permit;

v. storm water permits required by other agencies;

Attachment: APPENDIX I PLAN_SPECS 2021 (6574 : Open Public Hearing)

vi. erosion control permits required by other agencies;

Note: County permits may be granted contingent on receipt of all other required permits for effluent discharge, storm water management, erosion control, and highway road access.

vii. description of reclamation activities to be conducted during mining operations. This includes but is not limited to a description of topsoil stripping, stabilization and conservation methods to be used during operations. Reclamation activities are to be conducted on an ongoing and progressive basis;

viii. the sequence of progression through and between planned cells; and

ix. a timetable for the commencement and cessation of nonmetallic mining operations. The timetable shall document the sequence of excavation and reclamation during operation of each cell, during the permit period, and during the projected life of the site.

3. Final Site Plan

The Final Site Plan shall include a final site map and text describing measures to be used to restore the site. Site reclamation shall comply with county Reclamation Standards.

a. Final Site Maps, to include:

i. final depths, final slope angles, and slope stabilization measures;

ii. areas which convey concentrated flow to, across, or from the site;

iii. locations of facilities or structures to remain in place;

iv. locations of planned development features on the site following closure; and

v. cross sections through the site – sufficient sections to show current ground surface, final slopes, groundwater elevation, and significant ground elevations.

Attachment: APPENDIX I PLAN_SPECS 2021 (6574 : Open Public Hearing)

b. Description of Final Reclamation:

i. Description of plans for disposition of surface structures, roads, and related facilities after cessation of mining;

ii. description of topsoil reapplication;

iii. a description of how the reclamation plan addresses the long-term safety of the reclaimed mining site. The description shall include a discussion of site-specific safety measures to be implemented at the site and include measures that address public safety with regard to adjacent land uses;

Note: Safety measures include: visual warnings, physical barriers, slope modifications such as reclamation blasting, scaling of the rock face, creation of benches. Other measures may be employed if found to be equivalent by a registered professional engineer.

iv. seeding plan which shall include a seeding schedule, seeding type and rates, mulching, netting, tree plantings, and other techniques needed to accomplish soil and slope stabilization; and

v. Description of anticipated future use of the site.

4. Other Information

The county may require other information as may be necessary to determine the nature of the extraction operation and proposed reclamation.

Attachment: APPENDIX I PLAN_SPECS 2021 (6574 : Open Public Hearing)

*EXCERPTED FROM NON-METALLIC MINING RECLAMATION Ordinance*
*Revised July 2007 Chippewa County Board*

# APPENDIX II

# RECLAMATION STANDARDS FOR NON-METALLIC MINES IN CHIPPEWA COUNTY

These reclamation standards have been developed as a consistent basis for non-metallic mine reclamation. They have been developed to meet minimum state of Wisconsin requirements (under NR135) and to aid Chippewa County in administration and review of non-metallic mining permits.

The following are minimum technical standards that apply to all permitted non-metallic mine sites.

## A. SLOPES

Final slopes shall not exceed three (3) feet horizontal to one (1) foot vertical incline. This slope angle shall extend vertically six (6) feet below the lowest seasonal groundwater level if groundwater is present. In cases of bedrock quarries final slopes may be steeper than 3:1 if it can be shown that the final quarry face will be stable and safe at the proposed slope; a slope no steeper than 3:1 shall be created at a designated location or locations, depending on the size of the water body to allow for a safe exit.

All areas affected by mining shall be addressed in the approved reclamation plan, pursuant to s. 30-102 to provide that a stable and safe condition consistent with the post-mining land use is achieved. The reclamation plan may designate highwalls or other unmined and undisturbed natural solid bedrock as stable and safe and not in need of reclamation or designate other areas affected by mining including slopes comprised of unconsolidated materials that exceed a 3:1 slope, whether or not graded, as stable and safe. For slopes designated as stable under this subsection, the regulatory authority may require that either: a site-specific engineering analysis be performed by a registered professional engineer to demonstrate that an acceptable slope stability factor is attainable at a steeper slope, or the operator perform a field test plot demonstration to demonstrate that a stable and safe condition will be achieved and that the post-mining land use specified in the reclamation plan will not be adversely affected.

Final reclaimed slopes covered by topsoil or topsoil substitute material may not be steeper than a 3:1 horizontal to vertical incline, unless found acceptable through one or more of the following: alternative requirements are approved under s. 30-107; steeper slopes are shown to be stable through a field plot demonstration approved as part of an approved reclamation plan; or stable slopes can be demonstrated based on site-specific engineering analysis performed by a registered professional engineer. All areas in the nonmetallic mine site where topsoil or topsoil substitute material is to be reapplied shall be graded or otherwise prepared prior to topsoil or topsoil substitute material redistribution to provide the optimum adherence between the topsoil or topsoil substitute material and the underlying material.



Attachment: APPENDIX II RECLAMATION_STD 2021 (6574 : Open Public Hearing)

## B. TOPSOIL STORAGE AND REAPPLICATION

1. Topsoil shall be systematically stripped and stockpiled for future application. The A and B horizons shall be stripped and separately stockpiled, unless the applicant can prove that the full volume of the B horizon is not needed to support a proposed vegetative cover. In all cases a minimum of 8 inches of topsoil shall be stripped and stockpiled. If the site is documented to lack these minimum depths of topsoil a waiver may be allowed under which that topsoil which is present will be required to be stripped and retained.

2. Soil stockpiles shall be seeded down to retain soil.

3. Soil stockpiles shall be graded to 3:1 slope or flatter.

4. The location of stockpiled soil or topsoil substitute material shall be chosen to protect the material from erosion, further disturbance or contamination. Runoff water shall be diverted around all locations in which soil material is stockpiled.

5. In reclamation, topsoil shall be reapplied to the site as uniformly as possible. Sites which lack adequate topsoil shall have the topsoil applied preferentially to the sloped areas.

6. The reapplication of soil horizons (A and B) shall be such that each horizon is placed back in its original location in the profile.

7. Topsoil Waivers
   The County may consider waivers of topsoil requirements under the following conditions:
   a. The site, before extraction activities begins, lacks the minimum required depth.
   b. The actual depth of available topsoil is documented before excavation begins and every attempt is made to strip and stockpile that amount of topsoil; and
   c. Other provisions approved by the county have been made to assure that the soil condition is stable for subsequent stabilization treatment. No waiver from topsoil standards will be considered if the landowner or operator, through intention or negligence allows existing topsoil to be removed from the site.

Attachment: APPENDIX II RECLAMATION_STD 2021 (6574 : Open Public Hearing)

## C. STABILIZATION TREATMENTS

1. Seeding shall be required on all exposed areas immediately following completion of topsoil reapplication. Seeding shall be completed in accordance with Appendix A, Section (1).

2. Planting of woody vegetation may be accepted in combination with other stabilization techniques. Species used shall be compatible with site characteristics. On flat areas or slopes less than 6:1 (17 percent) trees alone may be planted without seeding the site.

3. Sodding, rip-rap or other appropriate measures may be required for areas of drainageways which convey concentrated flow to, across or from the site, and for critical erosion areas as needed to correct a problem on the site. Sod shall be installed according to Appendix A, Section (2).

4. Mulch shall be applied to all seeded areas greater than 10:1 (10 percent) slope. Mulch is to be applied pursuant to Appendix A, Section (3).

5. Riprap; when required for drainageways, ditch outlets, culvert ends or bridge openings, as shown on the Site Plan, or as required by the Department to deter or correct a problem on the site; shall be installed according to Appendix A, Section (4).

6. Use of silt fence, sediment basins, rock weirs and similar structures and methods which require ongoing maintenance will generally not be accepted for long-term reclamation. The intent of final reclamation is to leave the site in a maintenance free and stable condition.

7. Any future amendments, revisions or modifications of any cited standards or appendixes incorporated herein are made a part of these standards.

8. In all cases, measures shall be taken to assure that soil, sediment and debris from the mine site do not leave the boundaries of the mine site.

## D. WASTEWATER AND STORMWATER DISCHARGE

Water from site dewatering and washing operations will meet the conditions of the required Wisconsin Pollution Discharge Elimination System (WPDES) permit from DNR.

Storm water runoff leaving the site will be controlled to limit sediment delivery to surface waters. Appropriate storm water discharge or construction site erosion permits must be obtained.

Attachment: APPENDIX II RECLAMATION_STD 2021 (6574 : Open Public Hearing)

## E. WASTE STORAGE AT SITE

It is the duty of the landowner to remove all waste substances as may be deposited by himself or others. During the period of the permit and thereafter, no gravel pit or borrow site shall be used to receive, store, or serve as a depository for demolition materials, or solid waste except yard waste as defined in Wis. Stat. 159.01(17) and except authorized solid waste management and recycling programs consistent with local, state or federal guidelines and administered by the Chippewa County Solid Waste Management Authority.

## F. PROGRESSIVE RECLAMATION

Reclamation activities are to be conducted on an ongoing and progressive basis. The county will review progress toward reclamation on an ongoing basis.

Attachment: APPENDIX II RECLAMATION_STD 2021 (6574 : Open Public Hearing)

*Excerpted from LCC/LCFM*
*Committee Guidance Adopted*
*4/15/2009 & 9/17/2009*
*and Amended 8/16/21*

# APPENDIX III

# PLAN CONTENT, SPECIFICATIONS AND ENGINEERING REQUIREMENTS FOR NON-METALLIC MINE CONSTRUCTION IN BEDROCK

## Purpose

Non-metallic mines constructed in bedrock pose unique challenges that are not encountered when mining sand and gravel from unconsolidated glacial deposits.

Failure to adequately plan, design, operate, and reclaim mines in bedrock can:

1. Result in offsite environmental impacts that can damage property and pose a threat to the public health, safety, and welfare.

2. Increase the operational costs of mining and phased reclamation.

3. Add significantly to the public costs of reclamation plan review and permit oversight.

This administrative guidance has been developed to clarify the content and design requirements of reclamation plans submitted for non-metallic mines proposed in bedrock that are subject to the Chippewa County Non-Metallic Mining Ordinance.

*Note 1: This guidance does not apply to small quarries or borrow sites that are currently allowed and exempt from ordinance requirements under NR 135.02(3).*

*Note 2: For the purposes of this guidance the county has adopted the definition of bedrock as contained in NR 213.04 as follows: "Bedrock" means the rocks that underline soil material or are at the earth's surface which are encountered when the weathered in−place consolidated material, larger than 2 millimeters in size, is greater than 50% by volume.*

Attachment: APPENDIX III SPECIFICATIONS_MINING BEDROCK_LCC_AMENDED_8-16-21 (6574 : Open Public Hearing)

## Engineering Assurance

Upon considering the physical characteristics of the site and scope of mine operations, professional engineering and design computations may be required to assure that the reclamation standards of the ordinance can be met.

The type and extent of engineering shall be limited to that necessary to meet physical site limitations, and to assure that the reclamation standards established in NR 135 Subchapter II can be achieved.

Engineering shall be encouraged for mines constructed in bedrock when any of the following threshold criteria are met:

1. The mine site and mine architecture involves the presence of high walls or steep slopes that:

   A. Will have a mine face that will be greater than 20 feet in height, or,
   B. Warrant concerns for slope stability during mining operations while pursuing standards for final grading and slope stability under NR 135.10, using the process of contemporaneous reclamation.

2. The mine site is externally drained, or where storm water runoff or other discharge is expected from the site.

3. The total projected, or potential built-out area of mine site is greater than 5 acres, over the life of the mine.

## Monitoring and Reporting Requirements

The applicant, working independently, or through a consultant or professional engineer, shall develop the following documents:

1. A Reclamation Plan. The plan shall meet the requirements of NR 135.19 and shall document the sequence of phased mining and reclamation activities, applying the concept of "contemporaneous reclamation".

2. An Annual Reclamation Report and Activities Plan. The report shall meet the requirements of NR 135.36 and shall document the reclamation activities completed throughout the past year and the activities planned for the upcoming year.

Attachment: APPENDIX III SPECIFICATIONS_MINING BEDROCK_LCC_AMENDED_8-16-21 (6574 : Open Public Hearing)

## Reclamation Plan Contents and Specifications

The scope and detail of the reclamation plan shall be adequate to allow for critical public and third party engineering review.

To meet this objective, reclamation plans for non-metallic mines developed in bedrock shall meet the following plan specifications and include the following information:

1. All requirements of NR 135.19.

2. All requirements, as established in a guidance documents titled: *Plan Specifications for Non-Metallic Mines in Chippewa County; Standardized Categories of Post Mining Land Uses and Associated Cover Types for Use in Non-Metallic Mine Reclamation;* and *Standardized Criteria & Performance Measures to be Applied to Post Mining Land Uses and Associated Land Cover Types to Determine Successful Reclamation*, and on file and maintained by the Chippewa Co. Dept. of Land Conservation & Forest Management.

3. Physical data as measured, and supporting documentation from published resource inventories and studies that will be used to characterize site conditions, and to facilitate groundwater management in accordance with standards and requirements of NR 135.08 and NR 135.19.

   This information shall, at a minimum, include:

   A. The elevations and spacial extent of mapped bedrock formations and glacial deposits, as shown on regional and more localized geologic maps.
   B. Estimated groundwater contour elevations and general groundwater flow directions, as shown on the 1:100,000 Chippewa County Groundwater Inventory Maps.
   C. Estimated depth to regional water table, and the anticipated range of seasonable and historical groundwater fluctuations, as previously recorded in the County.
   D. The estimated rate of infiltration of in situ soils and geologic deposits, and the anticipated groundwater flow rates through bedrock formations.
   E. The location of any anticipated high capacity wells on or adjacent the mine site.
   F. The location of any anticipated groundwater monitoring wells or well networks, as planned to measure, monitor, and verify groundwater protection standards of NR 135.08(1) and (2), can be achieved.

4. Physical data as measured, and supporting documentation from published literature and resource inventories to characterize site conditions and to facilitate surface water and storm water management, in accordance with standards and requirements of NR135.07 & 135.19.

Attachment: APPENDIX III SPECIFICATIONS_MINING BEDROCK_LCC_AMENDED_8-16-21 (6574 : Open Public Hearing)

This information shall be provided for each major stage of mine development and reclamation and, at a minimum, include:

A. A copy of proof of permit coverage for the site, as regulated and any associated under NR216.21, and state WPDES storm water discharge permits.
B. A projection of anticipated discharges of storm water, contaminated storm water and process water, and a statement of intent indicating whether the site will be managed as an internally or externally drained site.
C. An overview of physical controls to prevent or limit the discharge of storm water contaminants, including an explanation of how the mine will apply source area pollution prevention controls and storm water best management practices to prevent or treat contaminated storm water.
D. A map showing how storm water will be routed during mining, contemporaneous mine reclamation, and mine closure; and the location of anticipated structural best management practices that are planned to manage storm water runoff from the 25 year, 24 hour storm event.
E. An operation, maintenance, and inspection plan for the storm water management system.
F. Copy of a preliminary Storm Water Pollution Prevention Plan (SWPP), as proposed to meet state WPDES storm water permit requirements.
G. Anticipated chemistry of storm water, contaminated storm water and waste water generated at the mine.

5. Physical data as measured, and supporting documentation from published literature and resource inventories to characterize site conditions and to facilitate soil and overburden management in accordance with NR 135.09 & NR 135.19.

   This information shall be provided for each major stage of mine development and reclamation and, at a minimum, include:

   A. The type and estimated thickness of the geologic overburden to be stripped and stored.
   B. The measured thickness and estimated volumes of the soil A horizons, and soil B horizons.
   C. An overview of the process and timeline to be used in stripping, stockpiling, stabilizing, and managing the geologic overburden.
   D. An overview of the process and timeline to be used in stripping, stockpiling, stabilizing, rehabilitating, and managing soil and soil stockpiles.

6. Physical data and supporting documentation from published literature and resource inventories to characterize site conditions and to facilitate slope reconstruction and stabilization in accordance with NR135.10 & NR135.19.

Attachment: APPENDIX III SPECIFICATIONS_MINING BEDROCK_LCC_AMENDED_8-16-21 (6574 : Open Public Hearing)

This information shall be provided for each major stage of mine development and reclamation and, at a minimum, include:

A. The physical processes and general sequence of construction activities that will be used in slope reconstruction and stabilization.
B. The material source(s) to be used, including the anticipated use of overburden, rejected mine materials generated on site, and mine processing and fill materials imported to the site.
C. The type and estimate of volumes of source materials to be used in slope reconstruction..
D. An explanation of materials testing that will be used to characterize materials to be used for slope reconstruction and reclamation.
E. An operation, maintenance, and inspection plan to be used in slope reconstruction and stabilization.
F. The anticipated use of engineering modeling, calculations, or test plots to document slope stability.

7. Physical data and supporting documentation from published literature and resource inventories to characterize site conditions and to facilitate topsoil reestablishment in accordance with NR135.11 & NR135.19.

This information shall be provided for each major stage of mine development and reclamation and, at a minimum, include:

A. The physical process and general sequence of construction activities to be used in the soil application process, and reestablishment of A horizon and soil B horizon that will be used.
C. Best management practices and measures to limit soil compaction.
D. Best management practices and measures that will be used to control erosion, in accordance with NR 135.11, and to the maximum extent practicable, in accordance with state WPDES requirements.
E. An operation, maintenance, and inspection plan to be used in slope reconstruction and stabilization.

8. Physical data and supporting documentation from published literature and resource inventories to characterize site conditions and to facilitate site revegetation in accordance with NR135.12 & NR135.19.

This information shall be provided for each major stage of mine development and reclamation and shall, at a minimum, include:

A. The physical process and general sequence of activities to be used in the site revegetation.
B. The specific plant species, seeding mixes, and planting rates, as planned to establish planned vegetative cover types, and plant communities for designated areas of the mine.

Attachment: APPENDIX III SPECIFICATIONS_MINING BEDROCK_LCC_AMENDED_8-16-21 (6574 : Open Public Hearing)

C. The agronomic best management practices to be used to soil test and to manage soil nutrients and amendments to establish target and soil fertility, as prescribed for the planned plant species and vegetative cover types.
D. The agronomic best management practices to be used to prepare a seedbed and to physically plant designated areas of the mine to establish the planned cover types.
E. The agronomic best management practices to be used to monitor and control weeds, pests, noxious weeds, and invasive species.
F. An operation, maintenance, and inspection plan to be used in vegetative management.

Attachment: APPENDIX III SPECIFICATIONS_MINING BEDROCK_LCC_AMENDED_8-16-21 (6574 : Open Public Hearing)

## STANDARDIZED CATEGORIES OF POST MINING LAND USES AND ASSOCIATED COVER TYPES FOR USE IN NON-METALLIC MINE RECLAMATION

| POST MINING LAND USE | SUB-CATEGORY | LAND COVER TYPE/PLANT COMMUNITY | MGNT APPROACH/INTENSITY |
|---|---|---|---|
| **Conservation Lands ①** | | | |
| Conservation/Ecological Use | Public Inst.<br>Private Inst. | Forest/Woodland<br>Grassland/Prairie<br>Grassland/Prairie/Forest Savannah<br>Wet/Sedge Meadow<br>Surface water; Shallow Ponded/Deep Ponded<br>Other | Defined in soil rehabilitation & vegetation management plan |
| **Working Lands ②** | | | |
| | | Even aged species<br>Mixed aged species<br>Other | Defined in soil rehabilitation & vegetation management plan |
| Agricultural Production | | Pasture<br>Perennial Forage - Conservation Cover<br>Perennial Forage - Hay<br>Cultivated Cropland; Forage Rotation<br>Cultivated Cropland; Row Crop<br>Other | Defined in soil rehabilitation & vegetation management plan |
| **Developed Lands** | | | |
| Residential | Low Density<br>Med. Density<br>High Density | | Defined in Site Development Plan |
| Commercial | Low Intensity<br>Med. Intensity<br>High Intensity | | Defined in Site Development Plan |
| Industrial | Low Intensity<br>Med. Intensity<br>High Intensity | | Defined in Site Development Plan |
| Institutional | Public Inst.<br>Private Inst. | | Defined in Site Development Plan |
| Any other proposed land use category, as defined in an approved comprehensive plan or zoning ordinance, as agreed to by the permitted mine operator and County. | | Any other proposed land cover type/plant community, as agreed to by the permitted mine operator and County. | |

① To determine successful reclamation, the minimum performance period for post mining land uses reclaimed as conservation lands and cover types extends from 3-5 years, commencing the first year after planting.

② To determine successful reclamation, the minimum performance period for post mining land uses reclaimed as working lands and cover types extends from 5-10 years, commencing the first year after planting.

H:\ADMIN\CO_REGS\MINES\NR135\RECLAMATION_PROJECTS\POST MINING LAND USE\[Post Mining Land Uses Chart 8_18_2021 Appendix IV.xls]Sheet1

Attachment: APPENDIX IV Post Mining Land Uses Chart (6574 : Open Public Hearing)

**Appendix V**

LCFM 8/18/21

## STANDARDIZED CRITERIA & PERFORMANCE MEASURES TO BE APPLIED TO POST MINING LAND USES AND ASSOCIATED LAND COVER TYPES TO DETERMINE SUCCESSFUL RECLAMATION

| STANDARDIZED CRITERIA FOR DETERMINING SUCCESSFUL RECLAMATION | | QUANTIFABLE PERFORMANCE MEASURES |
|---|---|---|
| **Site stability** | | |
| Sheet & rill erosion | | % area of field surface w/rills & deposition |
| Channel & gully erosion | | % area of concentrated flows w/channel erosion |
| Mass wasting | | % area of field surface & highwall unstable |
| | | |
| **Plant density and species diversity** | | |
| Plant density | | 1. % ground covered by planted & volunteer species |
| | | 2. Volume by weight or mass of planted & volunteer species, if applicable |
| Species diversity | | % presence of planted & volunteer species |
| Noxious weeds & invasive plant species | | % presence of each type; noxious weed & invasive plant species |
| | | |
| **Soil chemistry** | | |
| Soil acidity | | pH |
| Macro nutrient fertility | | Concentration of N-P-K (ppm) |
| Soil organic matter | | % O.M. |
| | | |
| **Soil physical characteristics** | | |
| Soil depth | | % of original A & B soil horizon depth, measured in comparison to soil survey mapping unit |
| Soil permeability | | Soil permeability measured using 6" infiltration ring (inches/hr) |
| Plant rooting depth | | Minimum soil depth to support unrestricted root growth for selected cover type, as defined in soil rehabilitation & vegetation management plan |
| | | |
| **Other alternative criteria, as agreed to by the permitted mine operator and County** | | **Other quantifiable performance measures, as agreed to by the permitted mine operator and County** |
| | | |
| | | |
| | | |

Attachment: APPENDIX V Successful Reclamation Criteria (6574 : Open Public Hearing)

**STATEMENT OF EXPLANATION**
**PUBLIC COMMENT**

This agenda item will be used to receive public comment on the public hearing draft of Chapter 30, Article II, Sections 30-79, 30-81, 30-82, 30-102, 30-103, 30-108, 30-111, and 30-135.

**STATEMENT OF EXPLANATION**
**CLOSE PUBLIC HEARING**

The public hearing will close after public comments have been received.

**STATEMENT OF EXPLANATION**
**OVERVIEW OF PERMIT FOR ACCESS THROUGH COUNTY FOREST LAND;**
**MAKELA (FORMER HOMME) PARCEL, T32N, R8W, SECTIONS 28 & 29**

On 9/16/20, K. Homme informed the LCFM Committee of an access and real estate issue that he had, which involves a town road (260th Avenue) and associated driveway access developed across County Forest Land. At that time, the Chair referred Mr. Homme to the County Forest Administrator to address the issue.

On 10/21/20, the County Forest Administrator presented options to the Committee to resolve the issue. At that meeting, the Committee took action to accept Option #1 (grant an Access Agreement to the existing landowner) with the directive that staff negotiate terms with the landowner and bring the access agreement proposal back to the Committee.

On 11/11/20, the LCFM Committee approved an access permit agreement granting access to and from real property owned by K. & J. Homme across certain County-owned forest land, expiring on 12/31/40. The agreement also allows prospective purchasers of the Homme property to request an access agreement with the same terms in advance of the prospective purchaser completing the property purchase.

The County Forest Administrator was recently advised that G. & M. Makela intend to purchase the Homme property.

This agreement will allow the Makela's use of a Secondary County Forest Road to access a parcel of land they intend to purchase, currently owned by the Hommes, in the SESE of Section 29 T32N R8W. This permit is nearly identical to the Access Permit Agreement offered to the current owners of the property.

No Committee action is needed as Section 17 of the current Agreement with the Hommes states: “the County shall enter into a new conditional Access Permit Agreement with the prospective purchaser”.

This agenda item will provide an update on the status of the access permit agreement.

# ACCESS PERMIT AGREEMENT

Chippewa County Department of Land Conservation and Forest Management
711 North Bridge Street, Chippewa Falls, WI 54729
(715) 726-7920

This Access Permit Agreement (the "Agreement") entered into by and between Chippewa County (County) and Grant D.W. Makela and Melissa A. Makela, as husband and wife with marital rights of survivorship (the "Permittee") (the County and the Permittee may also be referred to herein individually as a "Party," and collectively as the "Parties") for the sole purpose of obtaining access to and from real property owned by the Permittee across that certain County-owned forest land identified as Tax Parcel #23208-2944-00000000 and depicted on the attached Exhibit A, and described as the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 29, Township 32 North, Range 8 West (the "County Parcel").

The access granted to the Permittee by the County pursuant to this Agreement shall be on that certain existing un-paved woods road identified and depicted in Exhibit A that is located upon, and travels across, the County Parcel (the "Access Corridor") and provides access from 260th Avenue in the Town of Sampson to real property owned by the Permittee, which is identified as Tax Parcel #23208-2941-08750000, depicted in Exhibit A and described as a parcel of land located in the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 29, Township 32 North, Range 8 West, and more particularly described as follows: beginning in the Southeast (SE) corner of Section 29, Township 32 North, Range 8 West; thence North 25 rods; thence West 25 rods; thence South 25 rods; thence East 25 rods, to the point of beginning (the "Permittee Parcel").

This Agreement shall commence upon execution by the County and terminate on the 31st day of December, 2041. This Agreement shall not automatically renew, however the Parties may agree to a renewal, which shall be in writing and signed by both Parties.

The Permittee agrees to and acknowledges that this Agreement in no manner conveys to the Permittee any interest in the County Parcel, and that the Agreement is not an easement over the County Parcel but only permits access to the Permittee on the Access Corridor to cross the County Parcel for the sole purpose of ingress and egress to and from the Permittee Parcel. The Access Corridor remains the real estate of the County.

The County and the Permittee further agree that this Agreement contains and is subject to the following:

1. No deviations from the existing dimensions and construction are allowed without the prior written approval of the County. This Agreement does not authorize expansion of the footprint of the existing lane or improvements over and above the existing, un-paved condition.

Attachment: Makela Access Permit Agreement (6583 : Overview of Permit for Access Through County Forest Land; Makela (Former Homme)

2. Any improvements or upgrading of the Access Corridor (beyond normal maintenance such as periodic addition of gravel and grading) must be approved in advance by the County (County approval must be requested by the Permittee at least thirty (30) days prior to the time the Permittee intends on making any such improvements/upgrading).

3. The County, at any time during the term of this Agreement, may cancel said Agreement upon sixty (60) days advance written notice in the event the County, in its sole discretion, determines that any term of this Agreement has been violated by the Permittee.

4. The Access Corridor width shall be no wider than twenty (20) feet.

5. No trees shall be cut or trimmed on the Access Corridor without the prior written approval of the County. All wood cut or trimmed shall be the property of the County.

6. Any wood approved for cutting shall be cut and piled by the Permittee at locations designated by the County and in one hundred (100) inch lengths cut to a four (4) inch top diameter.

7. All stumpage, slash, waste material and other debris resulting from use by the Permittee under this Agreement shall be disposed of by the Permittee as directed by the County.

8. The Permittee shall maintain the Access Corridor in a safe and environmentally sound condition at all times, causing no obstruction to free and uninhibited use by the Public. The Permittee shall be responsible for maintaining the Access Corridor during the term of this Agreement so that such public use is possible. General maintenance of the Access Corridor during the term of this Agreement is the responsibility of the Permittee and not the County.

9. Present and future forest management, timber sales, timber stand improvement, reforestation or other forest or recreational activity is of high priority to the County and in no way shall be hindered by the Permittee or by this Agreement.

10. No gates, signs or other similar structures will be allowed on the Access Corridor or surrounding County real estate without the prior written approval of the County.

11. The Permittee shall not store any equipment, lumber or other items on the Access Corridor.



Attachment: Makela Access Permit Agreement (6583 : Overview of Permit for Access Through County Forest Land; Makela (Former Homme)

12. This Agreement does not give the Permittee any rights pertaining to hunting or trapping. Those rights remain under control of the County.

13. This Agreement will automatically terminate in the event of non-use of the same by Permittee for a period of at least two (2) consecutive years.

14. The intended use of the Access Corridor is set forth above. Any deviation from said use without the prior written approval of the County may result in termination of the Access Corridor per Paragraph 3. above.

15. The Permittee agrees to protect, indemnify and save harmless the County, its agents and employees, from and against all claims, demands, suits, liability and expense, by reason of loss or damage to any property or bodily injury to any person whatsoever, that may arise from the construction and placement of objects on the Access Corridor and from the maintenance or use of Access Corridor, and the Permittee shall defend the County in any such action or claim upon request by the County.

16. This Agreement is not transferable or assignable.

17. Upon written request to the County from a prospective purchaser of the Permittee Parcel the County shall enter into a conditional Access Permit Agreement with the prospective purchaser containing the same terms as in this Agreement in advance of the prospective purchaser completing a property purchase of the Permittee Parcel. The conditional Access Permit Agreement will not become effective until a written instrument evidencing a legal conveyance of the Permittee Parcel from the Permittee to the prospective purchaser is recorded in the office of the Chippewa County Register of Deeds, and a copy of said recorded instrument is provided to the County.

[*The remainder of this page is intentionally left blank.]*
*[Signature page follows on next page.]*



Attachment: Makela Access Permit Agreement (6583 : Overview of Permit for Access Through County Forest Land; Makela (Former Homme)

## SIGNATURE PAGE

**Agreed to by the Permittee:**

_____

Grant D.W. Makela (Date)

**Agreed to by the Permittee:**

_____

Melissa A. Makela (Date)

**Agreed to by the County:**

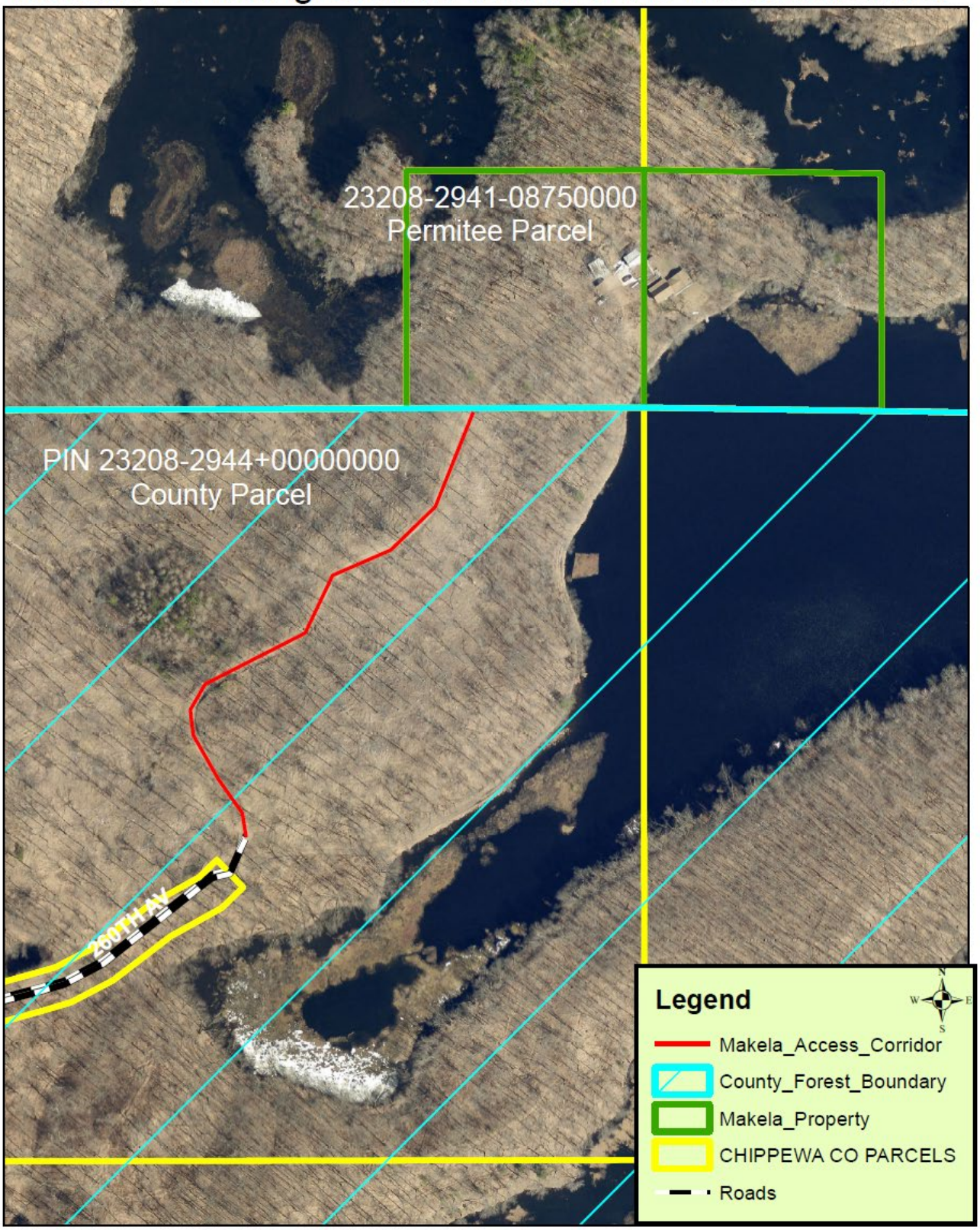
By:_____

Matt Hansen, Chippewa County Forest Administrator (Date)



Attachment: Makela Access Permit Agreement (6583 : Overview of Permit for Access Through County Forest Land; Makela (Former Homme)

# Exhibit A
## Access Permit Agreement with Grant & Melissa Makela






Attachment: Makela Access Permit Agreement (6583 : Overview of Permit for Access Through County Forest Land; Makela (Former Homme)

# STATEMENT OF EXPLANATION
# OVERVIEW OF LAKE WISSOTA STEWARDSHIP PROJECT; 2020-2021 ANNUAL REPORT

"The Lake Wissota Stewardship Project is a public/private partnership. The project is co-sponsored by the Lake Wissota Improvement & Protection Association (LWIPA) and the Chippewa County Land Conservation & Forest Management Committee (LCFM). The project is being implemented to improve water quality in Lake Wissota by reducing runoff pollution from its contributing watersheds.

The Lake Wissota Stewardship Project has three operating components: community outreach, "conservation on the land" to reduce runoff pollution, and water quality monitoring".

This agenda item will be used to provide an annual report on the project for 2020 and 2021.

# Overview of Lake Wissota Stewardship Project & Status of Program Implementation

**LCFM Committee Meeting**

**9/15/2021**

**C. Meyer**




Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Presentation Outline

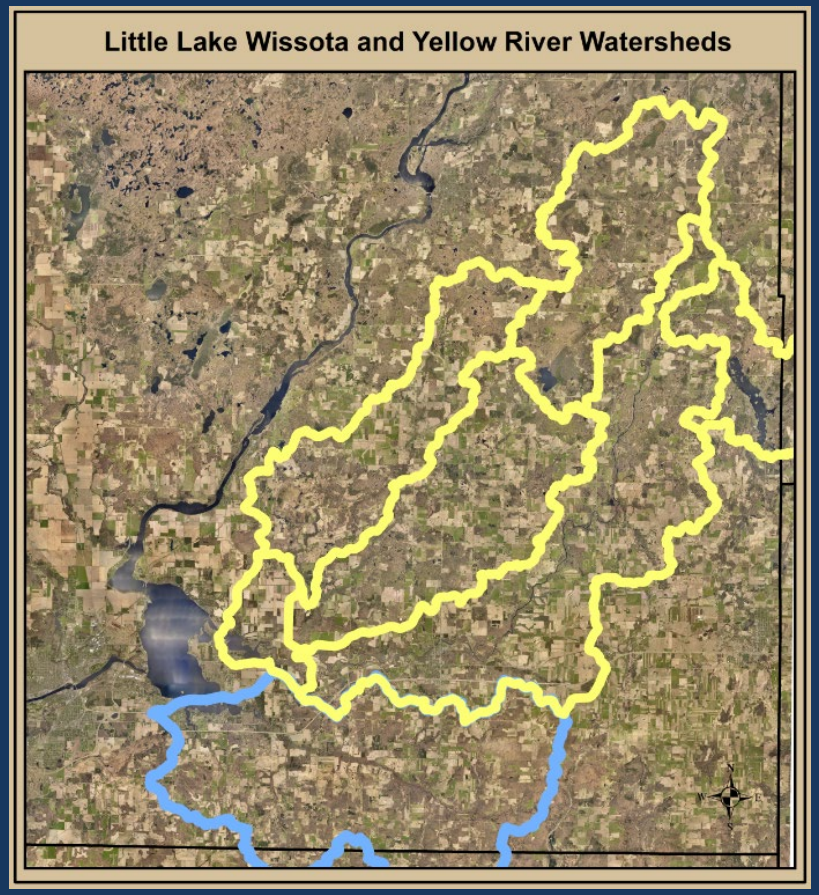
-Project Purpose/Goals

-Project History/Framework

-2021/2022 Project Update

Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Location of Little Lake Wissota and Moon Bay of Lake Wissota in Proximity to Contributing Watersheds



## Purpose of the Project

- Encourage water conservation and stewardship
- Improve the water quality of Lake Wissota





## Environmental Goals

- Reduce phosphorus loads to target levels
- Keep the lake fishable and swimmable
- Increase the number of recreational user days



Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

## Community Goals

- Sponsor and evaluate a business model for lake & watershed management

- Provide opportunities for community involvement:

  -Business/corporations

  -Citizens/community orgs.

# Why is the Focus on Lake Wissota?

- Lake Wissota is a critical economic and recreational asset to the Chippewa Valley
- Algae blooms have begun to impact the lake & limit recreational use
- Offers an ideal opportunity to explore the new community-based watershed model (public/private partnership)

# Lake Wissota Stewardship Project

## Algae Bloom Photos









Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project

## Algae Bloom Photos




Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project

## 2010-2017 Project History

JLBC & Chippewa Co. sponsor Little Lake Wissota Stewardship Project as a pilot project to:

-Improve water quality

-Organize community efforts

* -Serve as bridge to long term implementation & maintenance efforts

Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project

## 2018-2023 Project Update

L. Wissota Improvement & Protection Assn. (LWIPA) & Chippewa Co. sponsor Lake Wissota Stewardship Project as a project to:

-Expand area to include Moon Bay/Yellow River Watershed and time committed to Little Lake Wissota Watershed

-Complete EPA 9-Key Element Watershed Plans for both embayments to define scope of long term project implementation

*

-LWIPA raised $250,000 of community donations to fund a project manager for 5 years

Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project

## EPA 9-Key Element Plans

**Nine Key Element Watershed Plan**
**Little Lake Wissota**
**Chippewa County, Wisconsin**




**Nine Key Element Watershed Plan**
**For The**
**Lower Yellow River Watershed**
**and**
**Moon Bay of Lake Wissota**

**Chippewa County, Wisconsin**
**Draft September 9th, 2021**




Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project

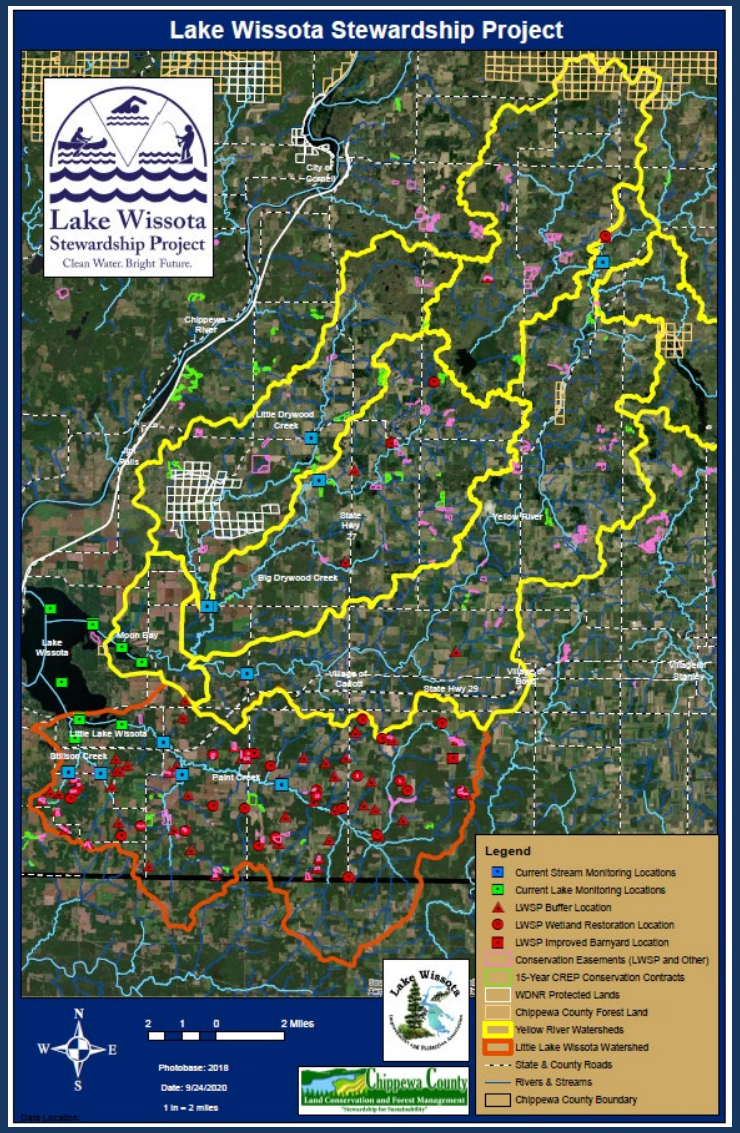
## 2021 Accomplishments and Framework

- "Conservation on the Land"
- Resource Monitoring
- Community Outreach



Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

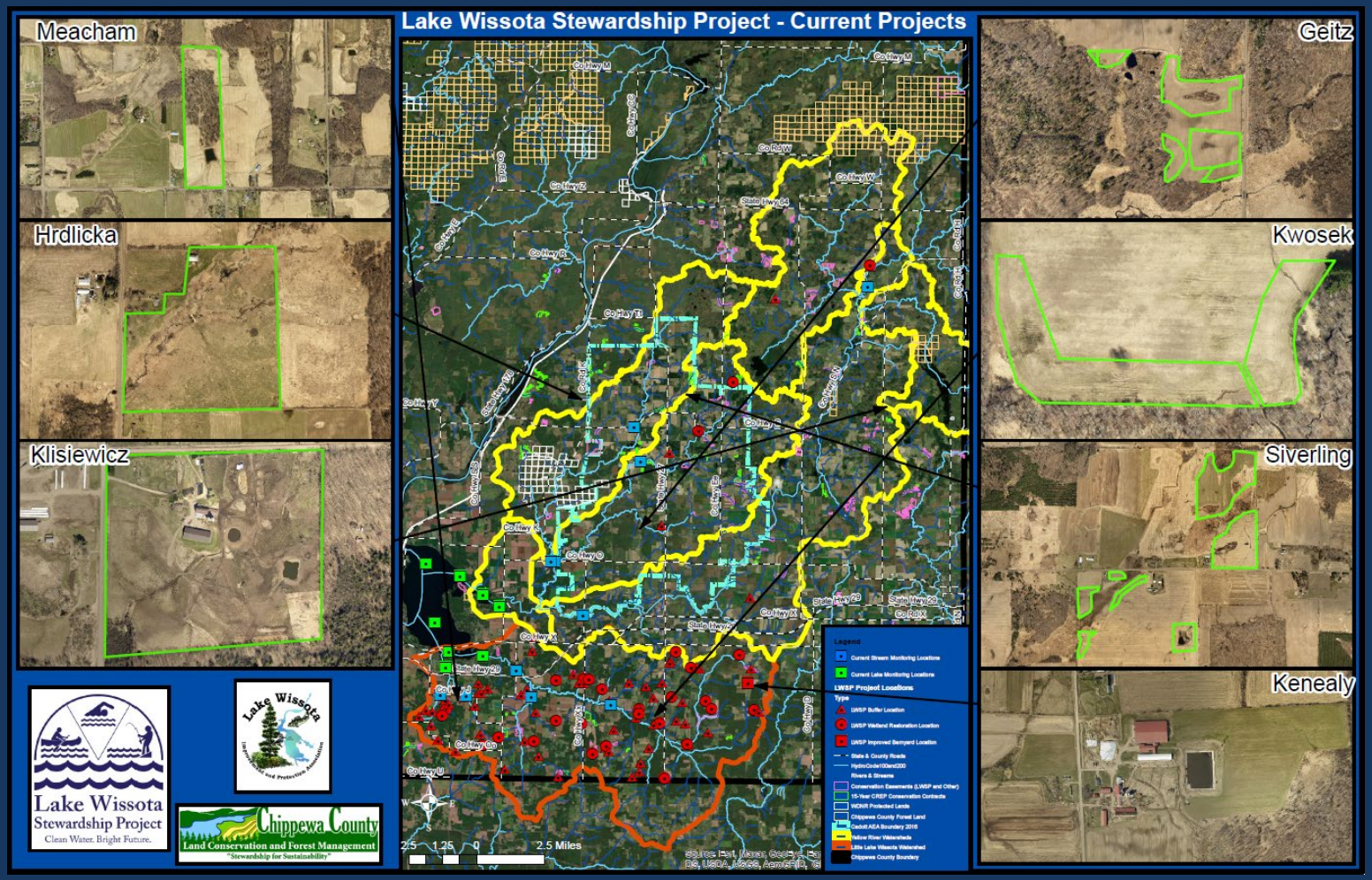
# Lake Wissota Stewardship Project




## Location of Conservation Projects Installed to Date Through the LWSP

# Lake Wissota Stewardship Project

## 2021 Conservation Projects Installed/Planned



# Lake Wissota Stewardship Project

| Reduction | Little Lake Wissota | Moon Bay/ Yellow River | Project Total (Combined) |
|---|---|---|---|
| Acres of Stream Buffers/Restorations | 277.78 | 72.39 | **360.17** |
| No. of Trees Planted | 65,450 | 25,290 | **90,740** |
| Tons of Sediment Reduced | 514.7 | 66.9 | **581.6** |
| Lbs. of P Reduced | 725.12 | 149.98 | **875.1** |
| =Lbs of Algae Reduced | 362,560 | 74,990 | **437,550** |
| =Dump Truck Loads | 63.6 | 13.1 | **76.7** |
| Groundwater Infiltration (Million Gallons) | 56.7 | 7.9 | **64.7** |
| =Time over Wissota Dam | 1 min, 22 sec | 12 sec | **1 min, 34 sec** |

Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project

## Resource Monitoring

## 2021 Highlights:

- Maintained Citizen Lake Monitoring Network
  - Boy Scout Agreement
  - Lake Resident Volunteers
- Continued DNR In-Basin Stream Sample Monitoring
- Installed a USGS Stream Gauge on Drywood Creek

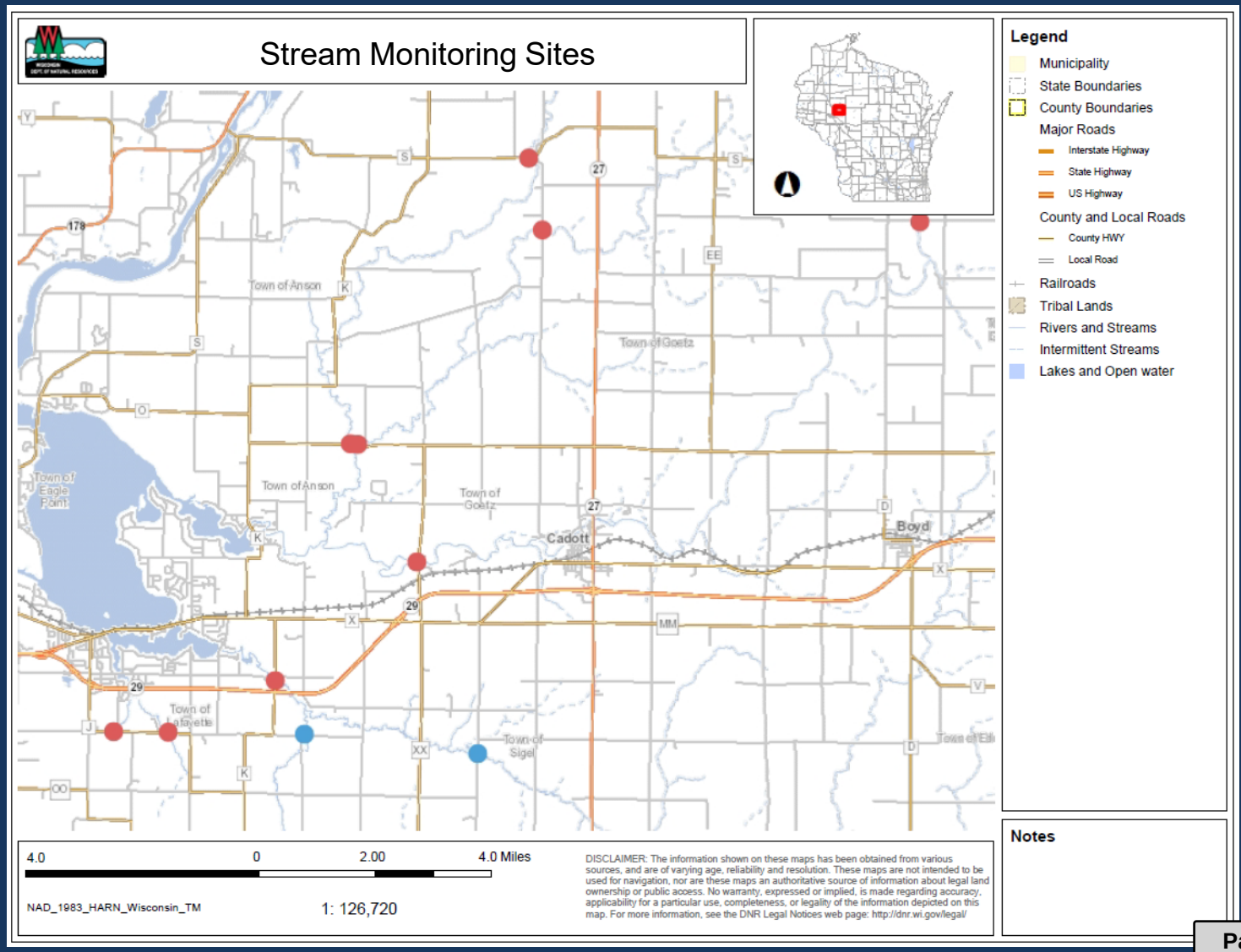
Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project



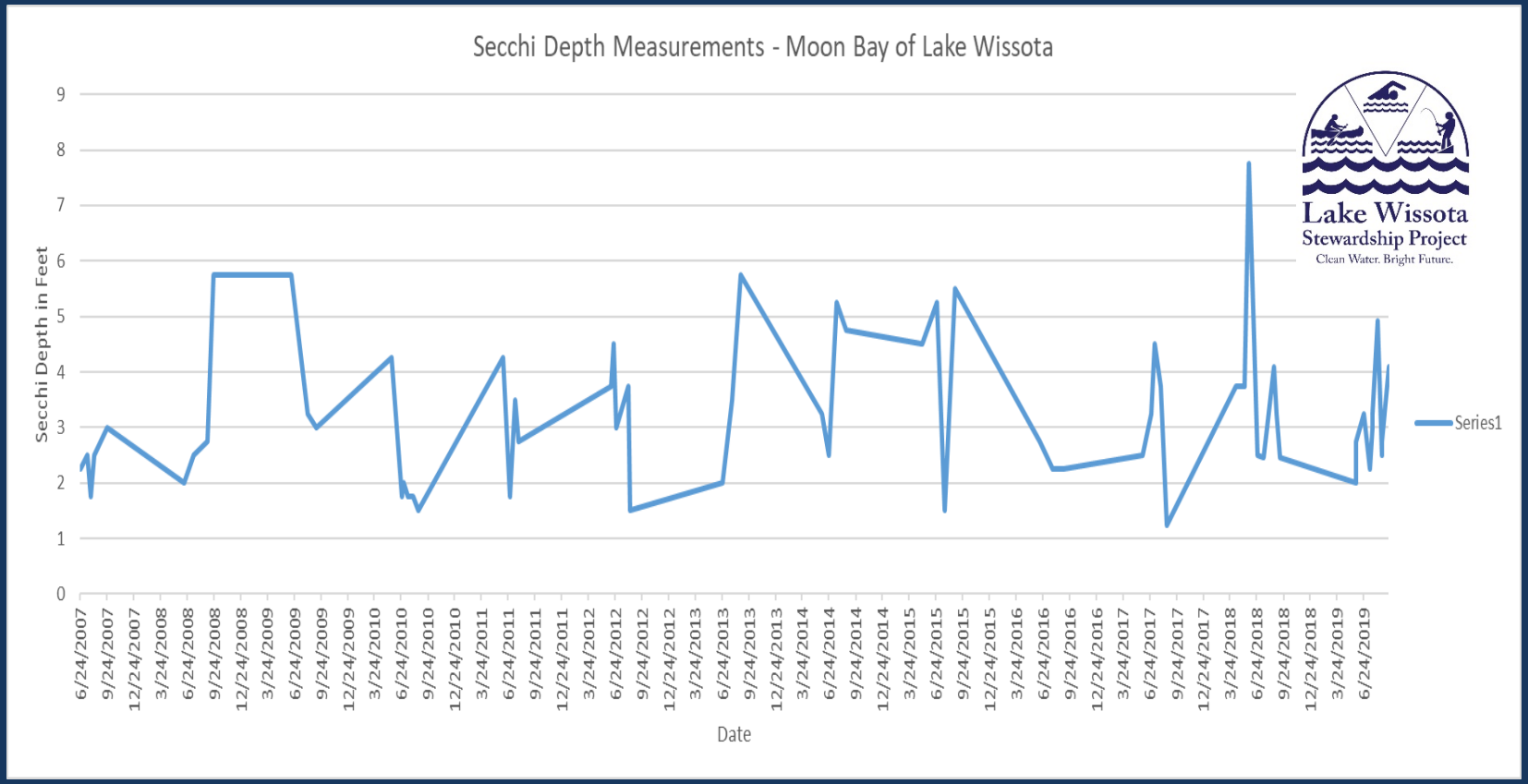

Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project



# Lake Wissota Stewardship Project

## Lake Monitoring Results on Moon Bay 2007-2020:




Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project

## Community Outreach

## 2021 Highlights

- Implemented WFU Kamp Kenwood Watershed Youth Education Curriculum
- Hosted Watershed Tours
- Wrote News and Newsletter articles
- Presented at Public Events

Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project



LAKE WISSOTA STEWARDSHIP PROJECT REVENUE AND EXPENDITURES SUMMARY — 11/5/2019

| REVENUE SOURCES: | | 2018 Budget | 2018 Actual/Contracted | 2019 Budget | 2019 Actual/Contracted | 2020 Budget | 2021 Budget | 2022 Budget | Budget Totals To Date |
|---|---|---|---|---|---|---|---|---|---|
| **Project, Planning, Coordination & Reporting** | | | | | | | | | |
| COMMUNITY FOUNDATION | 1 | $86,046 | $80,664 | $50,000 | $50,000 | $68,973 | $68,973 | $68,973 | $337,583 |
| LWS ACCOUNT: | 2 | $12,051 | $84,817 | $50,000 | $50,950 | $55,418 | $60,841 | $125,089 | |
| Corporate Contributions | | | | | | | | | |
| **Conservation on the Land** | | | | | | | | | |
| DATCP-SEG Funds | 3 | $38,494 | | $55,716 | | | | | $94,210 |
| DATCP-Bond Funds | | $84,439 | $19,189 | $49,750 | | | | | $134,189 |
| CREP (DATCP) Funds | 4 | $16,376 | $16,376 | $294,000 | | | | | $310,376 |
| DNR MDV | | $1,466 | | | $3,496 | $1,500 | | | $2,966 |
| DNR TRM Small | 5a | | | $150,000 | | | | | $150,000 |
| DNR TRM Large (Little Lake Wissota) | | | | $185,738 | | | | | $185,738 |
| DNR Lake Protection Grant | 5 | $30,000 | | $30,000 | | $50,000 | | | $110,000 |
| DNR River Protection Grant | | | | | | $50,000 | | | $50,000 |
| Wetland Reserve Easement | | | | | | $100,000 | | | |
| DNR Wetland Mitigation In-Lieu Fee Program Grant | | | | | | $767,708 | | | $767,708 |
| **Monitoring** | | | | | | | | | |
| DNR River Planning Grant | | $5,625 | | $7,500 | | $30,000 | | | $43,125 |
| DNR Lakes Planning Grant | | | | | | $30,000 | | | $30,000 |
| **SUBTOTAL** | | **$274,497** | **$120,382** | **$872,704** | **$54,446** | **$1,153,599** | **$129,814** | **$194,062** | **$2,624,675** |

| EXPENSES: | | 2018 Budget | 2018 Actual/Contracted | 2019 Budget | 2019 Actual/Contracted | 2020 Budget | 2021 Budget | 2022 Budget | Budget Totals To Date |
|---|---|---|---|---|---|---|---|---|---|
| **Project, Planning, Coordination & Reporting** | | | | | | | | | |
| Watershed Specialist | 6 12 | $50,000 | $50,205 | $59,040 | $39,967 | $55,125 | $52,500 | $52,500 | $269,165 |
| Red Cedar River Watershed Conference Fee | | $45 | $45 | $45 | $0 | $45 | $45 | $45 | $225 |
| Contracted Services | 13 | | | | | $35,000 | | | |
| **Conservation on the Land** | | | | | | | | | |
| DATCP-SEG Funded Projects | | $38,494 | | $5,000 | | | | | $43,494 |
| DATCP-Bond Funded Projects | | $84,439 | $19,189 | $50,000 | | | | | $134,439 |
| CREP Funded Projects | | $16,376 | $16,376 | $294,000 | | | | | $310,376 |
| DNR MDV Expense | | $1,466 | | | | $1,500 | | | $2,966 |
| DNR TRM Small Project Expense | 5a | | | $150,000 | | | | | $150,000 |
| DNR TRM Large Project Expense | | | | $185,738 | | | | | $185,738 |
| DNR Lake Protection Grant Expense | | $30,000 | | $30,000 | | $50,000 | | | $110,000 |
| DNR River Protection Grant Expense | | | | | | $50,000 | | | $50,000 |
| DNR Wetland Mitigation In-Lieu Fee Program Grant Expense | | | | | | $767,708 | | | $767,708 |
| Wetlands Reserve Easement Expense | | | | | | $100,000 | | | |
| LWSP Funded Easement Project | 7 | | | | | | | | $0 |
| LWSP Funded Scrapes Projects | | $19,425 | $16,025 | $4,500 | $4,500 | | | | $23,925 |
| LWSP Funded Planting Projects | | $18,046 | $14,639 | $0 | $3,408 | | | | $18,046 |
| **OutReach** | | | | | | | | | |
| Conservation/Community Outreach Project Reserve | 11 | | | $9,375 | | | | | |
| Location Signage | | $1,500 | $2,214 | | | | | | $1,500 |
| Conventions and Meetings | | | | | | $200 | | | |
| Volunteer Costs | | | | $500 | | $500 | | | |
| Postage and Mailing | | | | | | $1,000 | | | |
| Supplies | | | | $1,000 | $1,022 | $1,000 | | | |
| LWSP Website Domain | | | | $180 | $132 | $180 | $180 | $180 | |
| Project Costs (Info/Education Materials) | 8 | $100 | $248 | $2,500 | | $2,500 | | | $5,100 |
| **Monitoring** | | | | | | | | | |
| Monitoring- Boy Scouts | 9 | $2,000 | $1,440 | $2,000 | | $2,000 | $2,000 | $2,000 | $10,000 |
| DNR River Planning Expense | | $5,625 | | $7,500 | | $30,000 | | | |
| USGS River Monitoring Station | 14 | | | | | $16,000 | | | |
| DNR Lakes Planning Grant Expense | | | | | | $30,000 | | | |
| Donation of Services | | | $4,500 | | | | | | |
| **SUBTOTAL** | | **$267,516** | **$120,382** | **$801,378** | **$49,029** | **$1,142,758** | **$54,725** | **$54,725** | **$2,321,102** |
| **ENDING BALANCE:** | | **$6,981** | **$0** | **$71,326** | **$5,418** | **$10,841** | **$75,089** | **$139,337** | |
| FINAL ENDING BALANCE * | 10 | | | | | | | | |

*Unaudited

*Unaudited
1. Balance is estimate of funds reserved in the Community Foundation- amounts are based upon funds at hand & will increase as additional foundation funds are received
2. Chippewa County LLW Account- Assumes $50k annual draw
3. Funds from DATCP Soil & Water Resource Management Grant (SWRM) for easements and/or cost share payments to landowners to install best management projects
4. Funds from DATCP Conservation Reserve Enhancement Program (CREP)
5. Assumes $30k Lake Planning grant using $15k in matching funds from Community Foundation Funds $7500 to off-set Watershed Specialist contract optimizing full amount of award match allowed (per grant rules) to apply to contracted services expese for watershed specialist
6. Subcontracted service provider to recruit & provide technical services to landowners; contract costs offset through grant funding & Community Foundation- 2019 assumes 5% contract increase to $52,500
7. Projects funded with donated Community Foundation funds- Permit costs are included in totals
8. Costs for community leadership training; lake association & conservation organizations
9. Costs for lake water quality monitoring; reimbursable to Boy Scout Troops
10. Final ending balance is the amount of nonlapsing funds after the close of the year
11. Difference of WS contracted $50,000 & Grant off-set balance to go toward conservation/community outreach project

**5-year project budget shows expenditures and revenues by year, project component, and funding source.**

# Lake Wissota Stewardship Project

## DNR Grant Actions

- 2019 TRM Grant – Little Lake Wissota - $185,000
- 2020 River Planning Grant –Yellow River - $10,000
- 2021 TRM Grant – Yellow River - $280,000
- 2022 Lake Protection Grant - Planned Application

Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# Lake Wissota Stewardship Project

## Conclusion

-The LWSP is a case example of the Public/Private Watershed Business Model

-The Project is Transferable between sponsors and Expandable to other watersheds

-Success of the project depends on community support

-The project is well positioned to pursue and implement goals and objectives over the coming years based upon available resources

Attachment: 2021 September LCC Meeting (6554 : Overview of Lake Wissota Stewardship

# STATEMENT OF EXPLANATION
# OVERVIEW OF REQUEST TO EXTEND THE COOPERATIVE AGREEMENT BETWEEN CHIPPEWA COUNTY AND THE LAKE WISSOTA IMPROVEMENT & PROTECTION ASSOCIATION TO ADMINISTER THE LAKE WISSOTA STEWARDSHIP PROJECT

The Lake Wissota Stewardship Project (LWSP) is a community based watershed and lake improvement project that has been co-sponsored through time by the Jacob Leinenkugel Brewing Company, the Lake Wissota Improvement & Protection Association, and the Chippewa County Land Conservation & Forest Management Committee.

The project was initiated in 2009 as a pilot project to encourage water conservation and improve the water quality of Little Lake Wissota.

Under the project, technical and financial assistance are provided to landowners in the contributing watersheds to encourage the adoption of best management practices to control runoff and reduce nonpoint source pollutant loads.

The project is unique in that it is community driven and is funded from a combination of private and public sources, including corporate and business contributions, private donations, and state and federal grants.

On 10/18/17, the LCFM Committee approved a resolution to expand and extend the pilot project to include Moon Bay of Lake Wissota and the Yellow River basin.

This resolution authorized implementation of the Lake Wissota Stewardship Project, and provided authority to approve cooperative agreements with the Lake Wissota Improvement & Protection Association (LWIPA) and the Community Foundation.

The cooperative agreement between the LWIPA and Chippewa County was signed on 10/24/17 and is set to expire 12/31/22.

On 2/1/21, the LWIPA submitted correspondence to R. Scholz (Co. Admin) requesting an extension to the agreement.

In support of that request, the LWIPA has prepared a proposal to apply a rolling three (3) year contract extension that would serve to provide stability, and allow for a soft close to the project, using a three (3) year close out window.

This agenda item will be used to review the terms of the  cooperative agreement between the Lake Wissota Improvement and Protection Association and the Chippewa County Land Conservation & Forest Management Committee to implement the "The Lake Wissota Stewardship Project", and to introduce the request.

Lake Wissota Improvement and Protection Association, Inc
PO Box 903
Chippewa Falls, WI 54729

*...to preserve and protect Lake Wissota and its surroundings, and to enhance the water quality, fishery, boating safety, and the aesthetic value of Lake Wissota as a public recreational facility for today and for future generations.*

RECEIVED
FEB - 1 2021
BY:

Mr. Randy Scholz
Chippewa County Administrator
711 North Bridge Street
Chippewa Falls, Wisconsin 54729

Dear Mr. Scholz,

The purpose of this letter is to follow-up on the recent virtual meeting hosted by your office and attended by Mr. Dan Masterpole and board members of the Lake Wissota Improvement and Protection Association. (LWIPA)

In review, LWIPA, Chippewa County Department of Land Conservation and Forestry, and the Community Foundation of Chippewa County have completed three years of a five-year cooperative agreement seeking to improve the water quality of Lake Wissota through the Lake Wissota Stewardship Project (LWSP). The Department of Land Conservation has provided leadership and support for these water quality improvement efforts. The day-to day responsibilities of grant application and administration, contracting and communication with Chippewa County land-owners, and implementation of LWSP goals has been the responsibility of Mr. Caleb Meyer of Meyer Environmental LLC.

LWIPA has been involved from the very beginning of LWSP having raised $250,000+ in donations and pledges to support the Meyer Environmental contract to implement project goals. LWIPA believes that outstanding progress has been, and is being made, to improve water quality in the Lake Wissota watershed. The support and responsiveness of the Chippewa County Department of Land Conservation and Forestry has also played a significant role, as has the recent addition of an agronomist to county staff.

With two years remaining on the LWSP agreement, LWIPA is looking ahead for ways to keep LWSP on-going into the future. Lake Wissota water quality is a generational challenge, and one that impacts the economy and quality of life in Chippewa County and beyond. Interest among farmers in the watershed is growing, water quality plans have been submitted and approved by Wisconsin DNR, and many other pieces of LWSP are gathering positive momentum.



Attachment: LWIPA Correspondence re LWSP (6579 : Overview of Request to Extend Cooperative Agreement Between Chippewa Co. & LWIPA)

As discussed at our recent meeting, LWIPA is proposing a one-year extension to the agreement referenced above. The LWSP Fund at the Community Foundation can financially support LWSP at current levels through 2023. The one-year extension we propose will allow exploration of funding sources beyond 2023, with the goal of sustaining the LWSP into the indefinite future.

It is our understanding that the Chippewa County Land Conservation and Forestry Committee will need to consider the contract extension, and LWIPA asks that you convey our extension request to the committee as soon as it can be placed on the agenda. LWIPA representatives welcome the opportunity to attend the committee's meeting to answer questions and present any other necessary information.

Thank you, Randy, for hosting the LWSP meeting. We look forward to hearing from you and meeting with the Land Conservation and Forestry Committee.

Sincerely,

Ann L. Gordon

Ann Gordon, President
Lake Wissota Improvement and Protection Association

cc: Dan Masterpole

Attachment: LWIPA Correspondence re LWSP (6579 : Overview of Request to Extend Cooperative Agreement Between Chippewa Co. & LWIPA)

LCFM 9/15/21

# A Conceptual Proposal to Extend the Lake Wissota Stewardship Project Contract Using a Soft Close, Pay-As-You-Go Funding Approach

The Lake Wissota Improvement and Protection Association (LWIPA) and the Chippewa County Dept. of Land Conservation and Forest Management (LCFM) see mutual value in extending the Lake Wissota Stewardship Project (LWSP) Contract Using a Pay-As-You-Go Funding Approach.

To provide a stable source of funding as needed to maintain and retain a project manager, a long-term funding proposal has been developed under the following assumptions:

**Assumptions:**

1. This proposal assumes a 3 year rolling contract (Term) to provide stability and to allow a planned "soft close" at the end of the project.

2. Under this proposal, a full-time project manager will be funded annually by the project sponsor (Lake Wissota Protection & Improvement Association) with funds provided from either community funds or from state and federal grants.

3. At a minimum, the project sponsor will be responsible for providing community-based funding equal to 50% of the project manager position, with the balance to be earmarked from state or federal grant contracts, generated through the project.

4. In the event state and federal grants are not secured, the project sponsor will be responsible for funding up to 100% of the position.

5. At the end of the first contract term (12/31/25), the base funding requirement of 50% will be reevaluated by the County and project sponsor.

6. The contract will renew automatically with a bailout clause that can be used by either party that can be applied by either party at the beginning of any 3 year rolling contract.

7. To initiate the concept, the LWPIA will need to show, as part of the 2022 county budget, that their contribution/commitment can be met for calendar year 2023, and then every budget year thereafter.

8. In circumstances where the LWIPA cannot meet its obligation under assumption 2 and 3, the contract will end on a mutually agreeable date.

9. To initiate the concept for 2022 Budget year, the cost of a project manager will be adjusted and carried forward as Salary (X) + Mileage (Y) + Fringe Benefits (Z).

Attachment: Conceptual Proposal Pay-As-You-Go 9-15-21 (6579 : Overview of Request to Extend Cooperative Agreement Between Chippewa

**From:** Dick <bdbarrick@charter.net>
**Sent:** Thursday, September 9, 2021 12:25 PM
**To:** Randy Scholz <rscholz@co.chippewa.wi.us>
**Cc:** Dan Masterpole <DMasterpole@co.chippewa.wi.us>
**Subject:** [EXTERNAL] Lake Wissota Stewardship Project Extension

Lake Wissota Improvement and Protection Association, Inc
PO Box 903
Chippewa Falls, WI 54729

Randy Scholz, Administrator
Chippewa County
Chippewa Falls, Wisconsin 54729

September 9, 2021

Dear Randy,

The purpose of this letter is to update you on discussions between the Lake Wissota Improvement and Protection Association (LWIPA) and the Chippewa County Land Conservation and Forest Management Department on extending the Lake Wissota Stewardship Project (LWSP). The project has continued to successfully mature since our letter of February 2021. Our discussions have resulted in what the LWIPA and the Department agree is a suitable arrangement to extend the Lake Wissota Stewardship Project.

The extension includes a "Pay-As-You-Go" funding approach that will utilize the LWSP fund managed by the Community Foundation of Chippewa County and federal, state and private grants applied for by the LWSP Project Manager. A three year rolling contract is being proposed. This will allow time to solicit further funds from the community as needed and, if necessary, for ending the project.

The LWSP fund at the Community Foundation is sufficient to support the proposed extension for at least the first three years of the new agreement. We can provide a detailed report of the LWSP Fund when needed to confirm these assets for county budget purposes.

The LWIPA is supportive of completing this contract extension process prior to Jan. 1, 2022 to continue and build upon the accomplishments of nearly four years of successful collaboration. We are enthused about moving forward as soon as possible with the endorsement of your office and the approval of the Land Conservation and Forest Management Committee.

Thank you Randy for your encouragement to continue the LWSP. Please let us know if we can provide further information to complete the contract extension process.

Sincerely,

Dick Barrickman, President, LWIPA
Copy: Dan Masterpole

Attachment: LWSP Email Update (6579 : Overview of Request to Extend Cooperative Agreement Between Chippewa Co. & LWIPA)

**STATEMENT OF EXPLANATION**
**OVERVIEW OF CURRENT & REQUIRED COVENANTS & DISCUSS APPLICATION FOR CHIPPEWA CO. STEWARDSHIP PROGRAM MATCHING GRANT TO ACQUIRE LAND FOR CONSERVATION AND PUBLIC USE IN T31N, R9W, SEC. 12 & 13, SUBMITTED BY PHEASANTS FOREVER**

The LCFM administers the Chippewa County Stewardship Fund following policy and procedures adopted by the County Board. The fund is used to by the County to: 1). Receive public contributions ($) and donations of land for conservation purposes 2). Purchase land or conservation easements for conservation purposes, and 3). Distribute 1:1 match grants to eligible municipalities and non profit organizations to support the purchase of conservation and recreational lands for public outdoor recreational use.

On March 3, 2021, the LCFM Committee established annual grant criteria to be applied in the review of eligible projects.

On March 4, 2021, the LCFM submitted a Class II Notice of project eligibility to the Chippewa Herald, Bloomer Advance, Cornell Courier, and Stanley Republican for publication.

On 7/12/21, Pheasants Forever applied for a match grant in the amount of $50,000.00 to purchase parcels located in the Town of Bloomer in T31N, R9W, Sections 12 & 13.

Under the project proposal, the parcels would be purchased to increase the size of the adjacent McCann Creek Fishery Area, and improve public access and recreational opportunities.

On 7/21/21, the Committee reviewed the proposal and received a staff report (dated 7/15/21) on the County Stewardship Grant application, as submitted by Pheasants Forever.

On 8/18/21, the Committee reviewed the purpose of the project and general content of the application and staff report. The Committee also discussed the process used by the State to review and act upon applications to the Knowles-Nelson Stewardship Fund, as well as the timing of the Committee action in relation to the timing of a State decision on the Knowles-Nelson Stewardship Fund application.

This agenda item has been scheduled as a report for further Committee discussion.

**Staff Review of an Application Submitted by Pheasants Forever, Inc. for a Chippewa County Stewardship Fund - Match Grant in the Amount of $50,000 Towards the Purchase of ~182.5 acres in Sections 12 & 13, T31N R09W, Town of Bloomer.**

## Background

The Chippewa County Stewardship Fund was created to assist landowners, municipalities, local units of government, and non-profit organizations to meet land conservation and resource management objectives by purchasing land in fee title or conservation easements (Resolution No. 76-98).

Program policy is detailed in Chippewa County Stewardship Fund Policy and Procedures for Program Administration (12/7/99). The policy requires that the Land Conservation and Forest Management Committee (LCFM) establish objectives and priorities for soliciting and evaluating applications for Local Matching Grants, on an annual basis.

The LCFM Committee established the 2021 annual criteria for evaluating and selecting projects submitted to the Chippewa County Stewardship Fund Local Match Grant Program on March 3, 2021. Public notices of matching grant availability were published in local newspapers.

The annual criteria are provided as Attachment I.

## Issue for Committee Consideration

On July 12, 2021, Pheasants Forever, Inc. submitted a formal application for a Chippewa County Stewardship Fund Local Match Grant in the amount of $50,000.00 for a project to acquire approximately 182.5 acres located in Sections 12 & 13, T31N R09W, Town of Bloomer, to conserve the natural resource values of the site, and to provide for non-motorized, nature-based public access.

To carry out its program responsibilities, the Land Conservation & Forest Management Committee is now in a position to evaluate the application to determine if the proposal meets the established criteria and aligns with the County's defined goals and objectives.

Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

## Project Location and Core Information

The location of the project, in proximity to the McCann Creek Fishery Area, is shown in Map Attachments 2, 3, and 4.

All parcels are located either in or immediately adjacent the State McCann Creek Fishery Area blocking boundary.

| | |
|---|---|
| Current landowner: | David & Kelly Stanton |
| Size of Subject Property: | ~ 182.5 acres |
| Current Land Use: | Agricultural |
| 2020 Real Estate Tax: | $ 2,170.82 |
| Current Project Status: | Appraisal has been completed.<br>Offer to Purchase has been signed.<br>Applicant has submitted application to WI Knowles/Nelson Stewardship Fund. |

## Summary of Proposal

Pheasants Forever, Inc., a 501c(3) non-profit conservation organization, proposes to work in cooperation with the current landowners, Chippewa County, and the Wisconsin Department of Natural Resources (DNR) to acquire fee simple title to the ~182.5 acre property.

The primary purpose of the acquisition is to maintain the existing habitat types and increase public access and recreational opportunities associated with this property and the adjacent McCann Creek Fishery Area.

As a condition of the County grant, Pheasants Forever, Inc. will convey a permanent conservation easement to Chippewa County. The conservation easement will 'run-with-the-land' to guarantee public access and prohibit land uses that may conflict with the management objectives.

If acquired, Pheasants Forever, Inc. has stated an intent to donate the property to the State of Wisconsin to be managed by the Department of Natural Resources as part of the McCann Creek Fishery Area.

The site has historically been cultivated and used for agriculture use. In recent years, the following conservation programs have been applied to restore and enhance environmental value and habitat function:

- In 2003, 66.4 acres of cropland were restored by a previous landowner to return the hydrologic functions of wetlands working through the USDA Wetland Restoration Program (WRP). Under that program, NRCS holds a permanent conservation easement on that portion of the property.

- In 2017, 80.5 acres of cropland were restored to mesic prairie by another previous landowner to enhance upland wildlife habitat, working through the USDA CRP Program, under a 15 year management contract.

A copy of the full project narrative, as submitted with the application, is provided as Attachment 5.

Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

**Proposed Budget To Acquire Property:**

| | | | |
|---|---|---|---|
| Appraised Value | = | $ | 402,000.00 |
| Eligible Acquisition Expenses | = | $ | 8,600.00 |
| **TOTAL PROJECT COST** | = | $ | 410,600.00 |
| **AMOUNT REQUESTED FROM COUNTY** | **=** | **$** | **50,000.00 (12.2%*)** |
| PF & PARTNERS(S) CASH CONTRIBUTION | = | $ | 155,300.00 |
| ANTICIPATED STATE/FED GRANT CONTRIBUTION | = | $ | 205,300.00 |

***Percentage of Total Project Cost**

**County Stewardship Fund Balance**

The County Stewardship account currently has an $85,000 balance.

A $15,000 Capital Improvement Project (CIP) allocation to the County Stewardship Fund has been approved by the County Board, pending adoption through the 2022 budget process.

If awarded, the County Stewardship Grant funding will be delivered at the time of closing.

Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

**Conclusion of Staff Review**

LCFM staff has reviewed the application and has determined that the application is complete and that the proposal meets the standing program criteria and the 2021 annual criteria.

If successful, the project will advance goals and objectives of the County's Land and Water Resource Management Plan (2019-2023).

These goals, objectives, and actions are stated as follows:

**Sec. 8.2 Land Conservation and Sustainability**

**Goal 2**

**Develop and administer conservation programs that preserve the land, support sustainable production, provide biodiversity, and protect the natural ecology.**

Objective 6
Support the efforts of individual landowners, private nonprofit conservation organizations, and municipalities to preserve unique lands with high public and environment value.

Action 1
Actively administer and maintain the Chippewa County Stewardship Program to support the acquisition of land and/or conservation easements by municipalities or nonprofit organizations for conservation purposes.

Objective 7
Encourage land conservation and biodiversity through use of corridor initiatives.

Action 2
Work in cooperation with the WI Dept. of Natural Resources and interested landowners to determine the feasibility of establishing an environmental corridor linking the McCann Creek Fishery Area to the Ice Age National Scientific Reserve.

Objective 10
Protect and buffer the existing public land base by pursuing conservation easements or fee title purchase options on select parcels located within and immediately adjacent the designated blocking boundaries of public forests, parks, or conservation management areas.

Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

# Attachment 1
# 2021 Annual Criteria (Page 1)

LCFM 2/1/21

**ANNUAL CRITERIA FOR EVALUATING AND SELECTING PROJECTS SUBMITTED TO THE CHIPPEWA COUNTY STEWARDSHIP FUND LOCAL MATCH GRANT PROGRAM IN 2021**

**Introduction**

A complete outline of standing administrative policy is established in Chippewa County Stewardship Fund Policy and Procedures for Program Administration, (12/7/99). Section 2.0 gives the Land Conservation Committee (LCC) administrative authority for the Program.

Program policy provides for the use of the County Stewardship Fund to assist landowners, municipalities, local units of government, and non-profit organizations to meet land conservation and resource management objectives in the County.

Program policy requires the LCC to establish objectives and set priorities (annual grant application evaluation criteria) for funding allocations on an annual basis.

Applications shall specify all intended outdoor recreational uses.

Applications shall list all parties directly involved with the project proposal and long-term custodial management of the property.

**Year 2021 Annual Grant Application Evaluation Criteria**

In the Year 2021 grant cycle, primary consideration will be given to:

a. Applicants who propose projects that will be matched by other grant sources.
b. Applicants who have not previously received a grant.
c. Applicants who propose projects with a purchase price of less than or equal to the appraised value. The County will not contribute to a proposed project in which the purchase price is higher than the appraised value, unless unique and extraordinary circumstances warrant paying more than the appraised value, as determined by the LCC.

All applications submitted through the Chippewa County Stewardship Local Matching Grants allocation process will be evaluated based upon the following criteria:

a. Projects that provide permanent public access for the nature-based outdoor activities, defined in WI Stats. 23.0916(1)(b), including hunting, fishing, trapping, hiking, cross country skiing, and any other nature-based outdoor activity designated by the DNR.

1. Priority will be given to:

a. Municipal governments (cities, villages, towns) that request up to $50,000 for acquisition of land or easements to establish green space, bicycle or pedestrian trail corridors, or nature-based park space, as identified in a current land use or public recreation plan.

b. County committees, non-profit organizations, or municipal governments (cities, villages, towns) that request up to $50,000 for the purchase of land (or options to purchase), located within or adjacent the County Forest Blocking Boundary, or for acquisition of parcels which will be managed as part of the County park system.

i. Acquisition of land or conservation easements to protect shoreland corridors or areas of unique geological, environmental, or biological significance; or

ii. Acquisition of land or conservation easements to establish green space or recreational trail corridors in urbanizing areas subject to development; or



Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

# Attachment 1
# 2021 Annual Criteria (Page 2)

YEAR 2021 CHIPPEWA COUNTY STEWARDSHIP GRANT PROGRAM - ESTABLISHMENT OF ANNUAL CRITERIA FOR EVALUATING AND SELECTING PROJECTS – continued from previous page

iii. Acquisition of conservation easements to protect areas of farmland which have been identified in an approved Town land use plan and are zoned for "Production Agriculture" which establishes a residential density of no more than 1 residential unit per 35 acres; or lands covered by an active Farmland Preservation Agreement.

2. Additional matching grant guidelines include:

   a. Preference will be given to projects that propose the use of combined funding (applicant match + County match) as a local match toward other State of Federal grant programs.

   b. State and Federal grants may not be used as the applicant's local match for County funds.

   c. Hard contribution from the applicant must be at least 10% of the amount of County funds requested.

   d. No project shall receive no more than $50,000 from the County Stewardship Fund without County Board Approval

**Further Clarification of Local Match Requirements and Eligible Expenses**

To be eligible for project funds, the applicant must match the amount requested from the County Stewardship Fund. The Applicant's match must consist of 10% hard contribution.

Local expenses, which may be applied as 10% hard contribution, are as follows:

1. Property appraisals.
2. Title Insurance.
3. Survey costs.
4. Recording fees.
5. Legal fees.
6. Donations toward an endowment for custodial management.

Explanatory Note:

Gifts of land value, offered by the landowner to the applicant, may be used for local match but may not be applied to 10% hard contribution.

The value of the gift is calculated as follows:

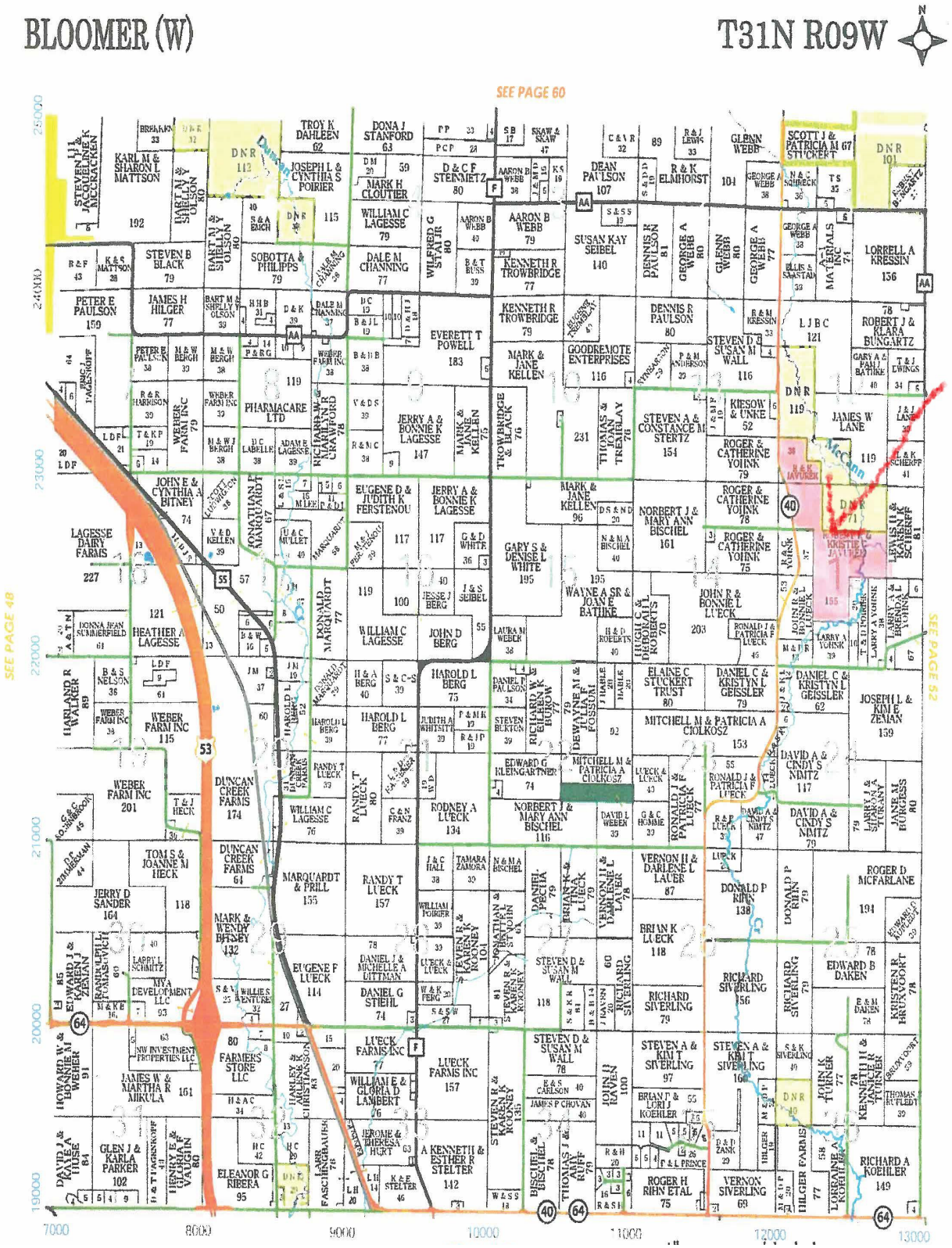
Gift Value = Appraised value of land or conservation easement minus the Purchase Price

For example: The Smith conservation easement was appraised at $100,000 but they will sell the conservation easement to a Non-profit Organization for $75,000. The Smith's will be giving the Non-profit Organization a gift valued at $25,000. The Non-profit Organization may apply the $25,000 gift towards their local match, but it won't be counted as part of their 10% hard contribution.



Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

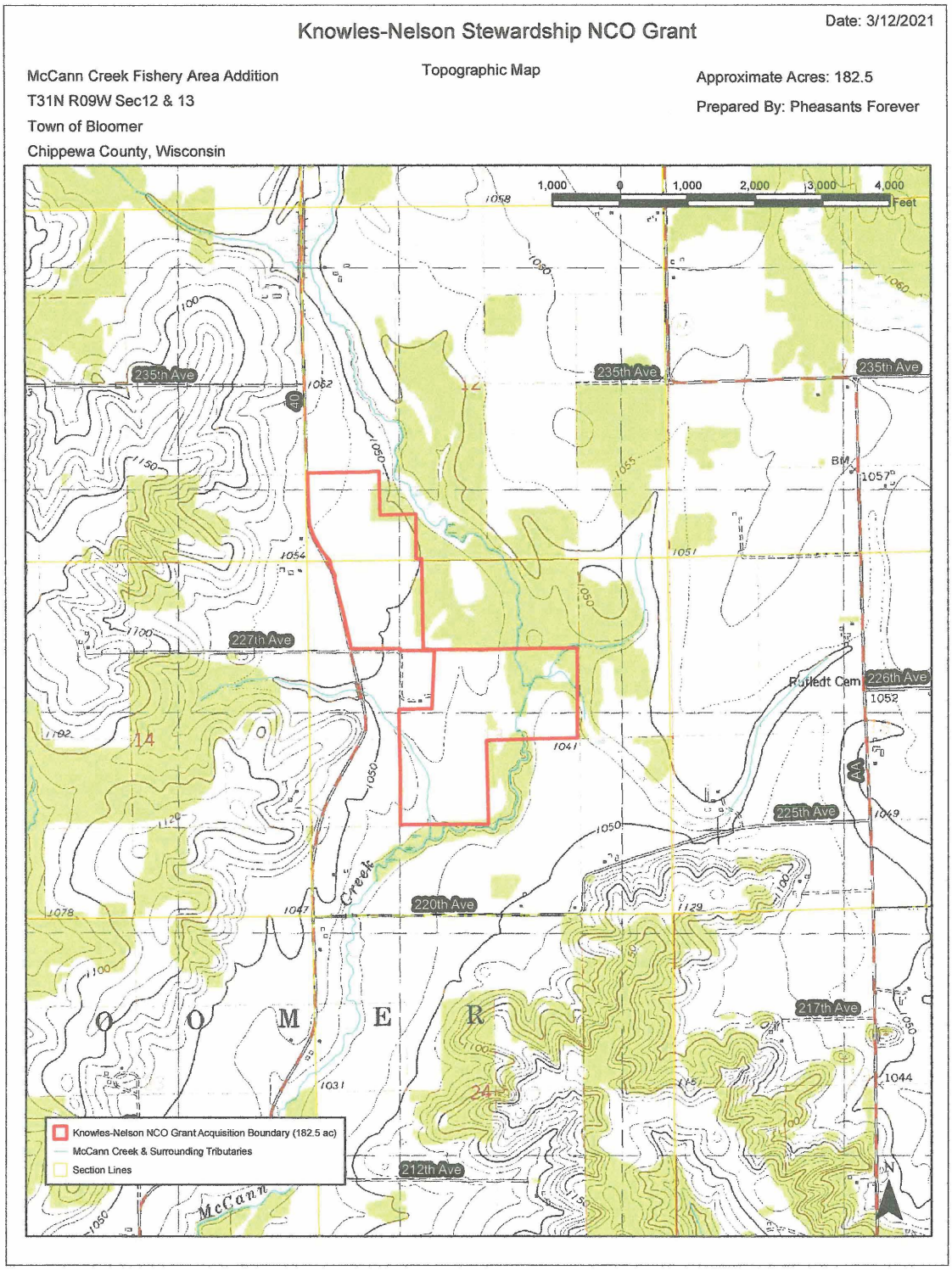
**Attachment 2**
**Site Shown of Plat Book Page**





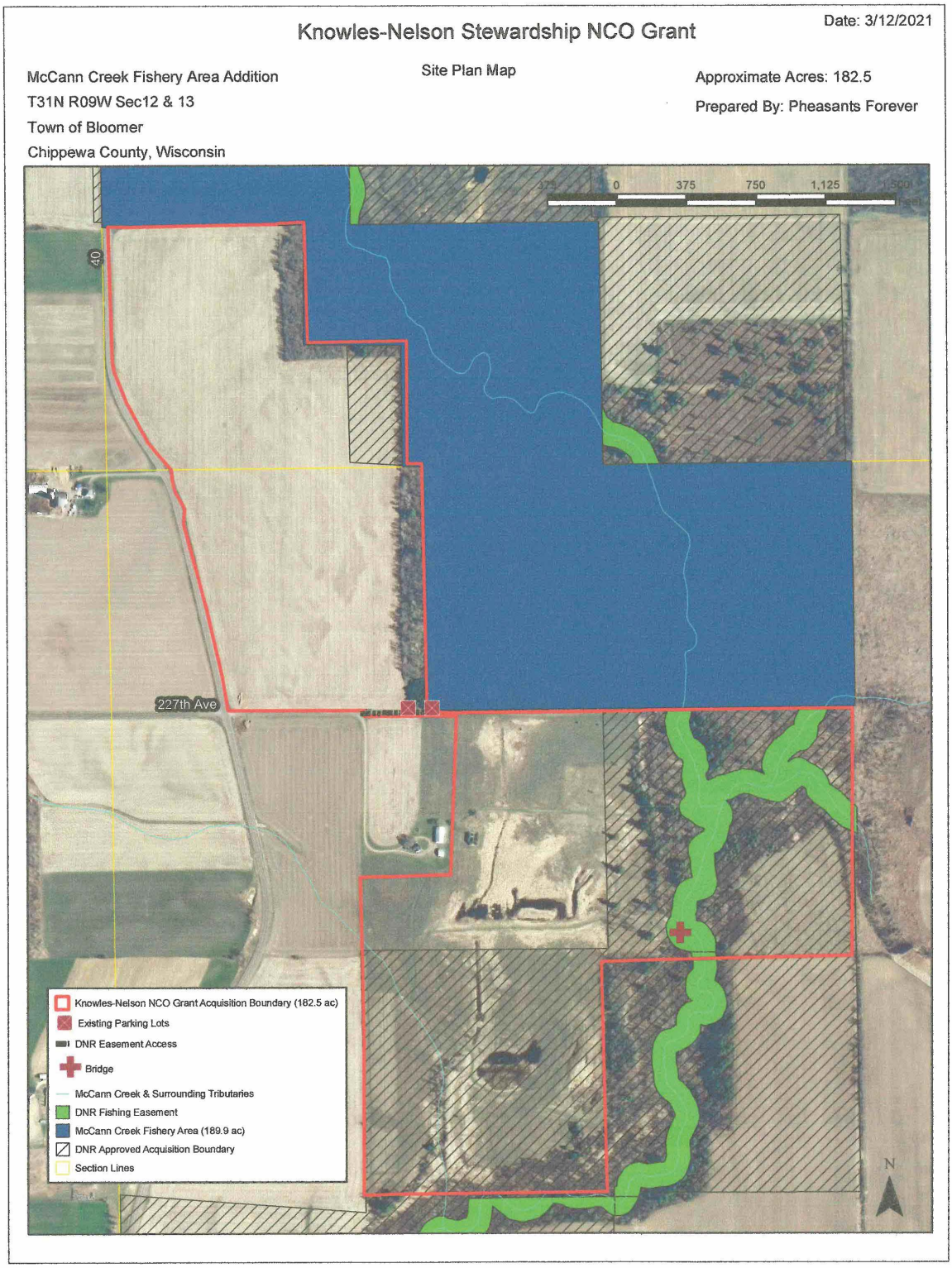

Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

# Attachment 3
## Topographic Map of McCann Creek Fishery Area Addition
## (North is up – Site is outlined in red)




Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

**Attachment 4**
**Aerial Overview of Project Site**
**(North is up – Site is outlined in red)**




Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

# Attachment 5
# Land Management Plan – McCann Creek Fishery Area Addition (Page 1)

Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

Land Management Plan - McCann Creek Fishery Area Addition

Knowles-Nelson Stewardship NCO Grant

**Primary goals of the project**

The McCann Creek Fishery Area Addition is located in Northwest Chippewa County in the town of Bloomer, Section 12 and 13, Township 31 North, Range 09 West. The 191.7 acre property is currently owned with a land contract by David & Kelly Stanton. The house and buildings associated with the property (9.2 acres) will not be purchased through the Knowles-Nelson Stewardship NCO grant. A total of 182.5 acres is included in this management plan.

The priority goals of this project are to acquire, through fee title, 182.5 acres of land in Chippewa County, maintain the existing habitat types, and increase public access and recreational opportunities associated with this property and the adjacent McCann Creek Fishery Area (189.9 acres).

This property has already been restored to native habitats through the Wetland Reserve Program (WRP) and the Conservation Reserve Program (CRP). Restored habitat types are consistent with the Wisconsin Wildlife Action Plan conservation opportunity areas associated with Forest Transition. They include mesic prairie (80.5 acres), emergent wetland (66.4 acres), northern forest (35.6 acres) and associated cold water stream (~1.0 miles of streambank).

The acquisition of the McCann Creek Fishery Area Addition will increase the size of the adjacent McCann Creek Fishery Area (189.9 acres) and improve public access and recreational opportunities.

**Improvements and Structures:**

A. A steel bridge over McCann Creek, a class I trout stream identified as an Outstanding Resource Waterway, provides vehicle access to the eastern portions of the property. Wisconsin DNR hold an access easement from 227th Avenue with a parking area. See the Site Plan Map for location details of the bridge, easement access and parking lot.
B. The site does not have any planned improvements or structures for development. Existing parking areas are strategically placed and will promote access to the acquisition. All habitat restoration projects have been established and there are no ongoing improvements on the property.

**Current Land Use:**

A. The property has a historic agriculture land use. The following conservation programs have restored the native value and habitat function.
    - The United Stated Department of Agriculture (USDA) - Natural Resource Conservation Service (NRCS) holds a perpetual 66.4 acre WRP easement that restored the hydrologic function of cropland in 2003. The easement policy provides NRCS with management rights to the property in perpetuity. A management plan was updated in 2018 by the NRCS to promote micromanagement of wetland habitats. The management plan has been attached. The WRP easement policy aligns with the property goals established in this management plan.

## Attachment 5
## Land Management Plan – McCann Creek Fishery Area Addition (Page 2)

The USDA – Farm Service Agency (FSA) holds 80.5 acres of CRP under contract for mesic prairie. The prairie was most recently established in 2017. Through the CRP program, FSA requires management of these habitats. Periodic mowing will be required throughout these contracts to maintain the herbaceous cover. CRP contract length was not disclosed at the time of this management plan draft.

- The soil types are comprised of 58.1% sandy loams, 30.7% loam, and 11.1%muck soils. A detailed report of the soil series and location can be found on the attached soils map.

**B.** The northern forest and associated cold water stream bank of McCann Creek is not currently in a management plan and is used for private/limited public recreation. Management of this forest and stream will align with management of the adjacent northern forest outlined in the McCann Creek Fishery Area management plan.

**Surrounding Landscapes:**

The surrounding landscapes in the Northwest portion of the County is 70% agriculture and 30% forest. The property is identified in the WI DNR's McCann Creek Fishery Area acquisition boundary and builds a complex corridor of forest transition habitat along the McCann Creek corridor. The existing McCann Creek Fishery Area is 189.9 acres of northern forest cold water stream cooridor.

**Ecological Issues:**

**A.** There appears to be no major problems associated with the property at the present time.
**B.** There appears to be no major problems associated with the property at the present time.

**Land Management Goals and Practices:**

- This property has already been restored to the maximum extent possible. To support long-term biodiversity and stream health, land managers should utilize best management practices for each habitat type while staying in compliance with existing WRP and CRP contracts.

**Implementation:**

This property has already been restored to the maximum extent possible. Future management needs will be conducted by the Wisconsin Department of Natural Resources and/or Pheasants Forever Inc.

Attachment: Staff Report (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship Program)

**Marty Moses**
**Wisconsin State Coordinator**
**Pheasants Forever, Inc.**
S8524 Giese Drive, Plain, WI 53577
p. (608) 712-8625
mmmoses@pheasantsforever.org

Dear Chippewa County Stewardship Program and Land Conservation Committee,

Thank you for accepting our application for the 2021 Chippewa County Stewardship Fund Program. Included here is a copy of the Application form and supporting documents as they related to our 2021 Knowles-Nelson Stewardship Program application.

I do want to point out that we have initiated conversations with Wisconsin DNR in regard to the transfer of this property to the Fisheries Program as an addition to the McCann Creek Fishery Area. I have spoken with Jess Carstens, Area Wildlife Supervisor and have left a message with Joseph Gerbyshak (we have not directly spoken yet).

You will also note that the budget indicated on the Chippewa County Application varies slightly from the budget that was submitted to KNSP. At the time of submission to KNSP, we only had an estimate of property value and purchase price. However, we have since received the appraisal and have fully executed the purchase agreement with the seller for the amount indicated on the County Application.

Finally, we have received pre-approval notification from KNSP regarding this property's application.

If there is additional information you would like to have for this application, please feel free to reach out to me. My phone number is 608-712-8625 and my email is mmoses@pheasantsforever.org

A hard copy of this application and supporting documents has been sent via USPS.

Thank you for considering our proposal.

Sincerely,

Marty Moses

Pheasants Forever's mission is to conserve pheasants, quail, and other wildlife through habitat improvements, public access, education, and conservation advocacy. Pheasants Forever is a 501(c)(3) charitable organization. Your donation is tax deductible under the fullest extent of the law. See how your donation is used.

**CHIPPEWA COUNTY STEWARDSHIP PROGRAM**
**APPLICATION FOR NONPROFIT CONSERVATION ORGANIZATIONS**

Chippewa County Dept. of Land Conservation & Forest Management

Notes:
1. Use of this form is required for eligible organizations and units of government that apply for a grant for property or easement acquisition under the Chippewa County Stewardship Fund. To encourage the use of County funds as local match to State grant programs, this County form has been developed to be consistent with forms used by the Wisconsin Department of Natural Resources for the Knowles-Nelson Stewardship Program.

2. Please send your completed application form with support materials listed on the Application Checklist to the Chippewa County Dept. of Land Conservation & Forest Management, 711 N. Bridge Street, Chippewa Falls, WI 54729.

| Project Name | Project location (Must be in Chippewa Co.) |
|---|---|
| McCann Creek Fishery Area Addition | 12261 227th Avenue, Bloomer, WI |
| **Project type**<br>_X_ Land acquisition<br>_____ Easement acquisition<br>_____ Other | **Number of acres**<br>182.5 |
| **Name and address of organization**<br>Pheasants Forever Inc<br>1783 Buerkle Circle<br>St Paul, MN 55110 | **Name and title of contact person**<br>Matt Holland<br>Director of Grant Development<br>**Telephone number (including area code)**<br>(320) 894-5391 |

Does this project implement a recommendation contained in an approved Comprehensive Outdoor Recreation Plan, a land use plan, the National Heritage Inventory, or another type of comprehensive plan? If yes, indicate name of plan.

Chippewa County Land and Water Resource Management Plan; WI DNR's acquisition boundary for McCann Creek Fishery Management Area which is delineated on the Land Managment Plan Map

Status of negotiations with landowners (check one):

_____ Discussions are underway with the landowners.
_____ An option has been assigned. Expiration date: _____
_X_ An offer to purchase has been signed. Expected closing date: 12/15/2022
_____ An easement has been signed. Date: _____
_____ The property has been purchased. Date transfer recorded: _____

Is your organization a 501(c)(3) tax exempt organization? _X_ Yes _____ No Date _____

Pheasants Forever, Inc.

I certify that the information in this application and supporting materials is true and correct and in conformity with applicable Wisconsin Statutes.

| Name | Title |
|---|---|
| Matt Holland | Director of Grant Development |
| Signature | Date<br>7/8/2021 |

LCFM Revised 2012

Attachment: Stewardship Fund Application & Maps (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship

**BUDGET WORKSHEET**

1. Estimate of acquisition costs as defined in NR 51.002(1):

| | |
|---|---|
| Appraised value of the property (Indicate if this is only an estimate) | $402,000 |
| Miscellaneous associated costs | |
| Appraisal(s) | $3,000 |
| Title insurance | $1,000(legel fees) |
| Survey | $4,000 |
| Environmental inspection/audit | $ |
| Recording fees | $100 |
| Relocation | $500(signage) |
| Estimate of total acquisition costs | $410,600 |

2. What is your actual purchase price for the property? $402,000

3. Funding sources (list sources of sponsor match):

| | |
|---|---|
| Sponsoring NCO | $155,300 |
| Other organizations or third parties | $ |
| Local, State, or Federal government (itemize if multiple sources) | $205,300 |
| Property contribution from the landowner | $ |
| Other contribution of property | $ |
| TOTAL | $360,600 |

4. Amount of cash award requested $50,000

5. Estimate of annual maintenance expenses $

6. Estimate of development or habitat restoration costs, if applicable $

Attachment: Stewardship Fund Application & Maps (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship

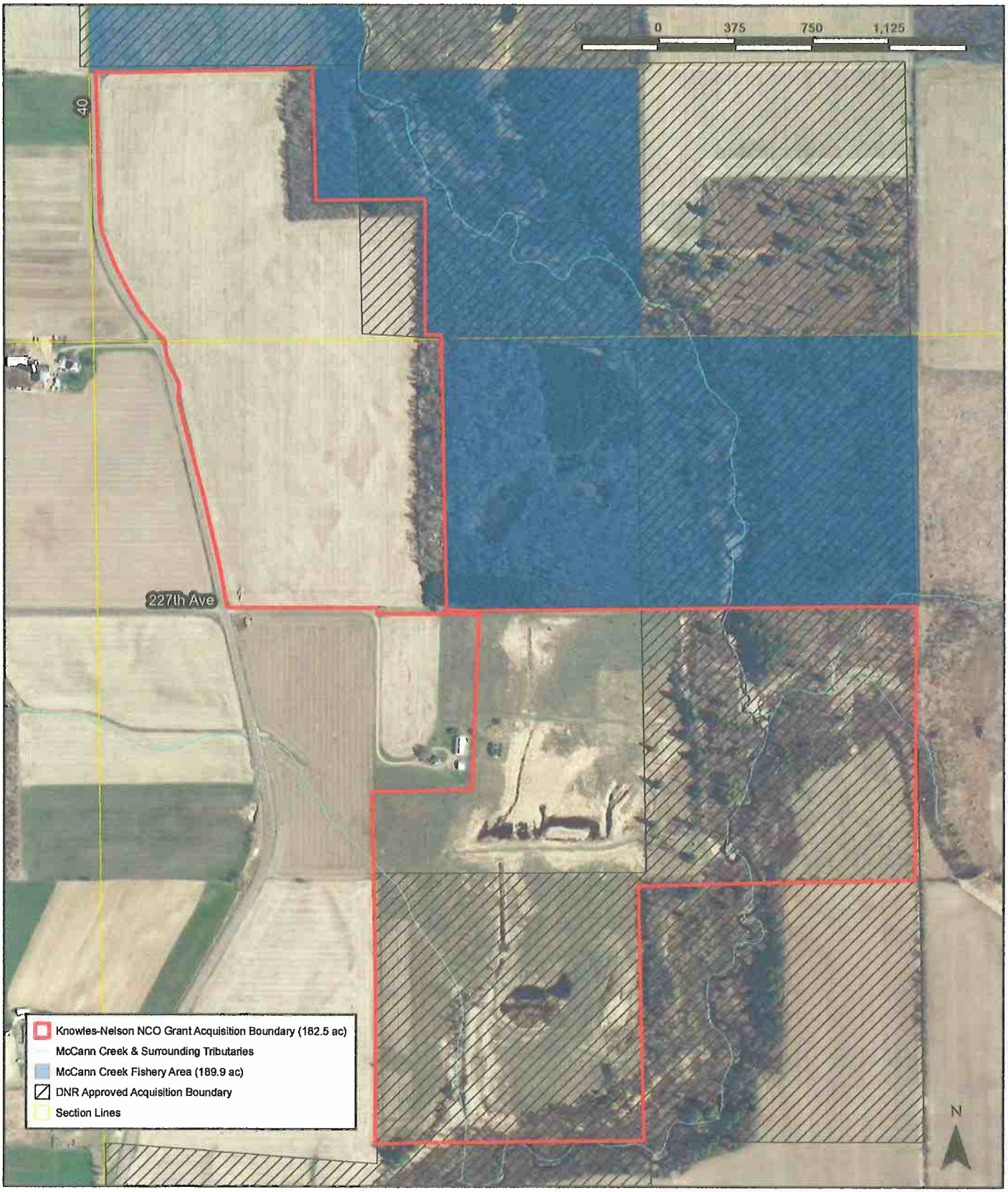
# Knowles-Nelson Stewardship NCO Grant

Date: 3/12/2021

McCann Creek Fishery Area Addition
T31N R09W Sec12 & 13
Town of Bloomer
Chippewa County, Wisconsin

Project Boundary Map

Approximate Acres: 182.5
Prepared By: Pheasants Forever



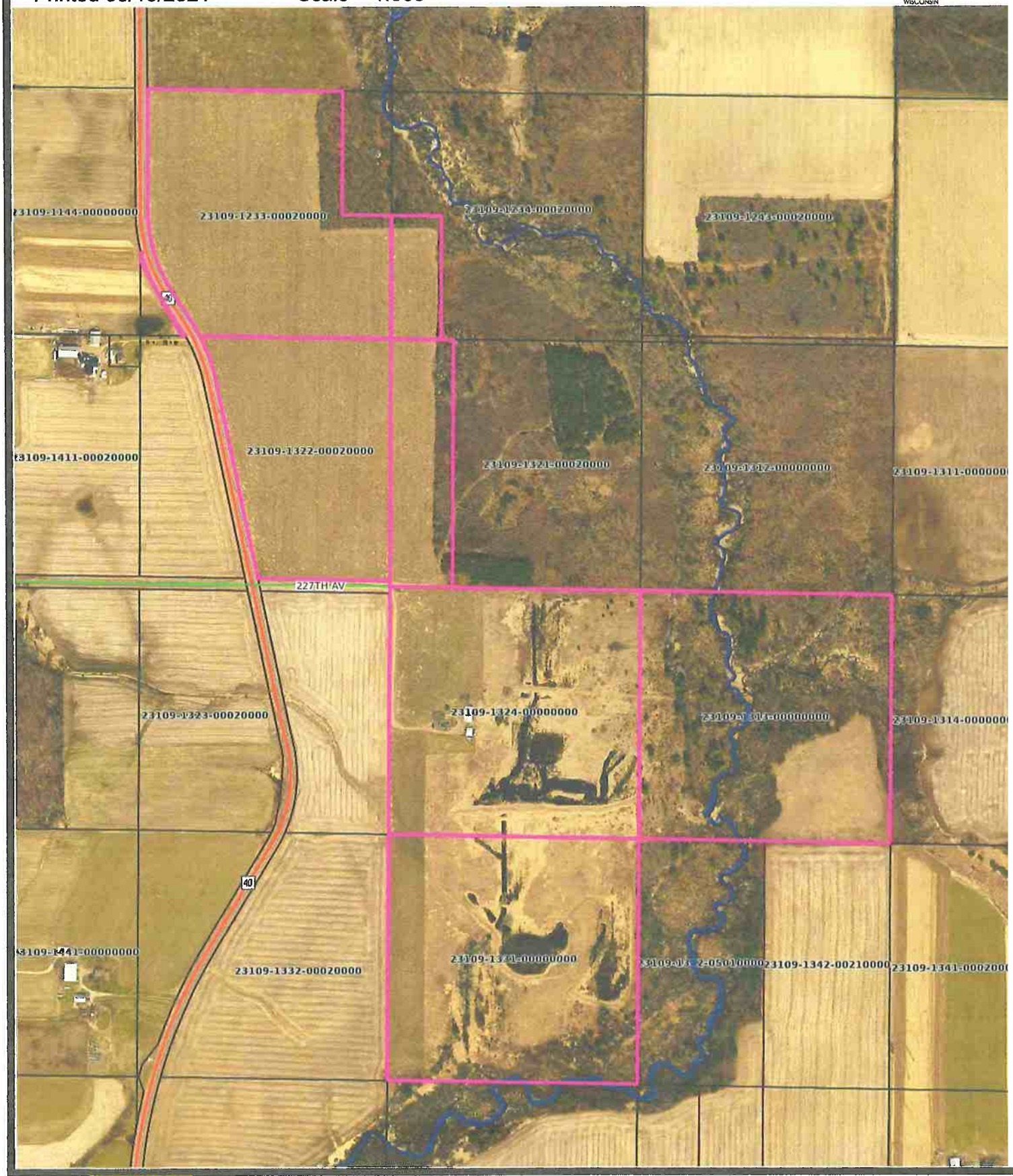

Attachment: Stewardship Fund Application & Maps (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship

# McCann Creek Fishery Area Addition

CHIPPEWA COUNTY

N

Printed 03/15/2021 Scale = 1:660'




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.

Attachment: Stewardship Fund Application & Maps (6580 : Overview of Current & Required Convenants & Discuss Application for Stewardship

# Proposed McCann Creek Fishery Area Addition - Site Map

Existing Parking Lots

McCann Creek Fishery Area

15 Year USDA CRP Contract

Restored Praire

No Current Public Access

(87.0 Acres)

State Owned Land

Forest and Forested Wetland

Current Public Access

(189.9 Acres)

Existing Parking Lots

USDA Permenant Wetland Reserve Easement

Wetland/Praire Restoration

No Current Public Access

(66.4 Acres)

CRP

Existing Bridge

CRP

State Highway 40

0.2 0.1 0 0.2 Miles

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

N W E S

## Legend

- Existing Bridge
- Existing Parking Lots
- Roads
- Approx DNR Approved Aquisition Boundary
- Approx. CRP Area (87.0 Acres)
- Approx. WRE Area (66.4 Acres)
- Approx. Proposed Aquisition (182.5 Acres)
- DNR Wetlands
- Streams
- Current DNR/State Owned Land

Attachment: Stanton Property Detail (6580 : Overview of Current & Required Convenants & Discuss Application for

**STATEMENT OF EXPLANATION**
**OVERVIEW OF CURRENT LIVESTOCK FACILITY PROJECTS & PERMITTING**

The Dept. of Land Conservation & Forest Management provides technical and financial assistance to livestock operations, working under both a voluntary and regulatory framework, to assist those operations meeting agricultural performance standards for nonpoint source pollution control, as established in Wis. Admin. Rule NR 151.

This agenda item will be used to provide an update on the status of livestock facility projects that are now receiving technical or financial assistance through the Department.

# Overview of Current Livestock Facility Projects & Permitting Status

**LCFM Committee Meeting**
**9/15/21**

K. Clow

Attachment: Overview of Current Livestock Facility Projects & Permitting Status (6556 :

## 12 Livestock Facility Projects in 2021

- 7 Waste Storage Facilities/Waste Transfer Systems
- 5 Waste Storage Facility Closures

# Dept. of Land Conservation & Forest Management



Chippewa County 2017-2021 Animal Waste Ordinance Activities

LCFM 09/10/2021

| Applicant/Operator | Permit Number | Type | Application Received | Soils | | NR151 Evaluation | | Nutrient Management (590) | | | | | Eng. Design | | Permit Issued | Construction | | Post Construction | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Soil Invest. | Soils Report | Invest. | Report | Acres | CCA | Received | Reviewed | Engineering PE | Received | Reviewed | | Pre-Const. Meeting | Start | Eng. Report (As Built) | Co. C |
| S. Culver - Phase I | 2018-08 | Manure Storage (313) | 10/24/18 | 11/1/2018 | 11/2/18 | | 7/26/19 | 988 | Boerner | 6/13/19 | 6/20/19 | LCFM | 9/17/20 | 9/17/20 | 10/7/20 | 10/7/20 | 10/8/20 | | 02/0 |
| S. Culver - Phase II | 2021-05 | Manure Storage (313) | 6/29/21 | 7/1/2021 | 7/9/2021 | | 7/26/19 | 967 | Boerner | 2021 | 5/26/21 | MSA | 8/31/21 | Pending | | | | | |
| L. & D. Leid | 2018-09 | Manure Storage (313) | 11/19/18 | 7/3/19 | 8/9/19 | | 6/12/19 | 123 | Beels | 9/10/19 | 6/10/21 | Oakridge | 10/30/19 | 11/13/19 | 5/6/20 | 5/27/20 | 7/9/20 | 5/12/21 | Per |
| M. Swenson | 2019-01 | Manure Storage Closure (360) | 1/7/19 | N/A | N/A | | N/A | --- | --- | --- | --- | LCFM | 11/30/18 | 4/18/19 | 5/2/19 | 6/17/19 | 6/25/19 | 7/21/20 | T |
| K. Dachel | 2019-03 | Manure Storage (313) | 5/6/18 | 6/2/19 | 7/16/19 | | 3/20/08 | 1,000 | Boerner | 6/19/19 | 6/20/19 | Oakridge | Prelim 9/13/2019 | On Hold | | | | | |
| Nolt, Charles | 2014-03 | Manure Storage (313) | 10/28/14 | 11/6/14 | 12/7/16 | | | | | | | Oakridge | Prelim | On Hold | | | | | |
| D. & K. Gilbertson | 2019-04 | Manure Storage (313) | 8/29/19 | 10/8/19 | 1/28/2020 | 10/19/21 | 4/9/21 | 1,860 | Schaller | 3/10/21 | 3/19/21 | ACA | 1/21/21 | 4/30/21 | 4/30/21 | 4/30/21 | 5/3/21 | | |
| Peck Farms | 2019-05 | Manure Storage | 10/2/19 | 10/14/19 | 11/19/1997 | 8/25/21 | Pending | 1,005 | Peck | 3/9/2021 | 8/19/2021 | ACA | 7/12/21 | Pending | | | | | |
| Siverling, Bernard | 2020-01 | Manure Storage Closure (360) | 6/19/20 | NA | NA | 6/4/20 | 7/23/20 | | LCFM | 2021 | 8/19/2021 | LCFM | 11/23/20 | 12/8/20 | 1/29/21 | | 5/3/21 | Pending | |
| Wagner, Dakota | 2020-02 | Manure Storage Closure (360) | 6/24/20 | NA | NA | 4/21/21 | 4/21/21 | NA | NA | NA | NA | NRCS | 2/22/21 | 3/5/21 | 3/12/21 | 4/22/21 | 4/22/21 | 6/8/21 | Per |
| Zimmerman, Wayne | 2020-03 | Manure Storage (313) | 10/13/20 | 11/5/20 | 1/15/21 | 11/20/20 | 7/2/21 | 197 | Licht | 5/28/21 | 6/9/21 | Oakridge | 5/14/21 | | | | | | |
| Klisiewicz, Don | 2020-04 | Manure Storage (313) | 10/26/20 | 4/28/21 | 6/22/21 | 9/29/20 | Pendng | | | | | Oakridge | 9/10/21 | | | | | | |
| Sedlacek, Craig | 2020-05 | Manure Storage Closure (360) | 12/11/20 | 4/21/21 | N/A | 4/21/21 | 4/21/21 | NA | NA | NA | NA | NRCS | 2/18/21 | 2/19/21 | 4/16/21 | 4/20/21 | 4/29/21 | 6/9/21 | Per |
| Nesvacil, Greg | 2021-01 | Manure Storage Closure (360) | 2/8/21 | 4/18/21 | NA | 4/21/21 | 4/21/21 | NA | NA | NA | NA | NRCS | 2/22/21 | 3/4/21 | 4/16/21 | | | | |
| Mahr Brothers | 2021-02 | Manure Storage (313) | 4/12/21 | 4/22/21 | 6/15/21 | 8/25/21 | Pending | 5,238 | Govin | 2021 | 6/7/21 | ACA | 7/1/21 | Pending | | | | | |
| Solhawk Dairy Farms * | 2021-04 | Waste Tranfer (634) | 5/24/2021 | 6/18/2021 | 7/13/2021 | 8/27/21 | Pending | 3,784 | Popple | 2021 | 6/14/21 | ACA | 7/22/21 | Pending | | | | | |

*Zoning Permit ** NR 243 C.A.F.O.

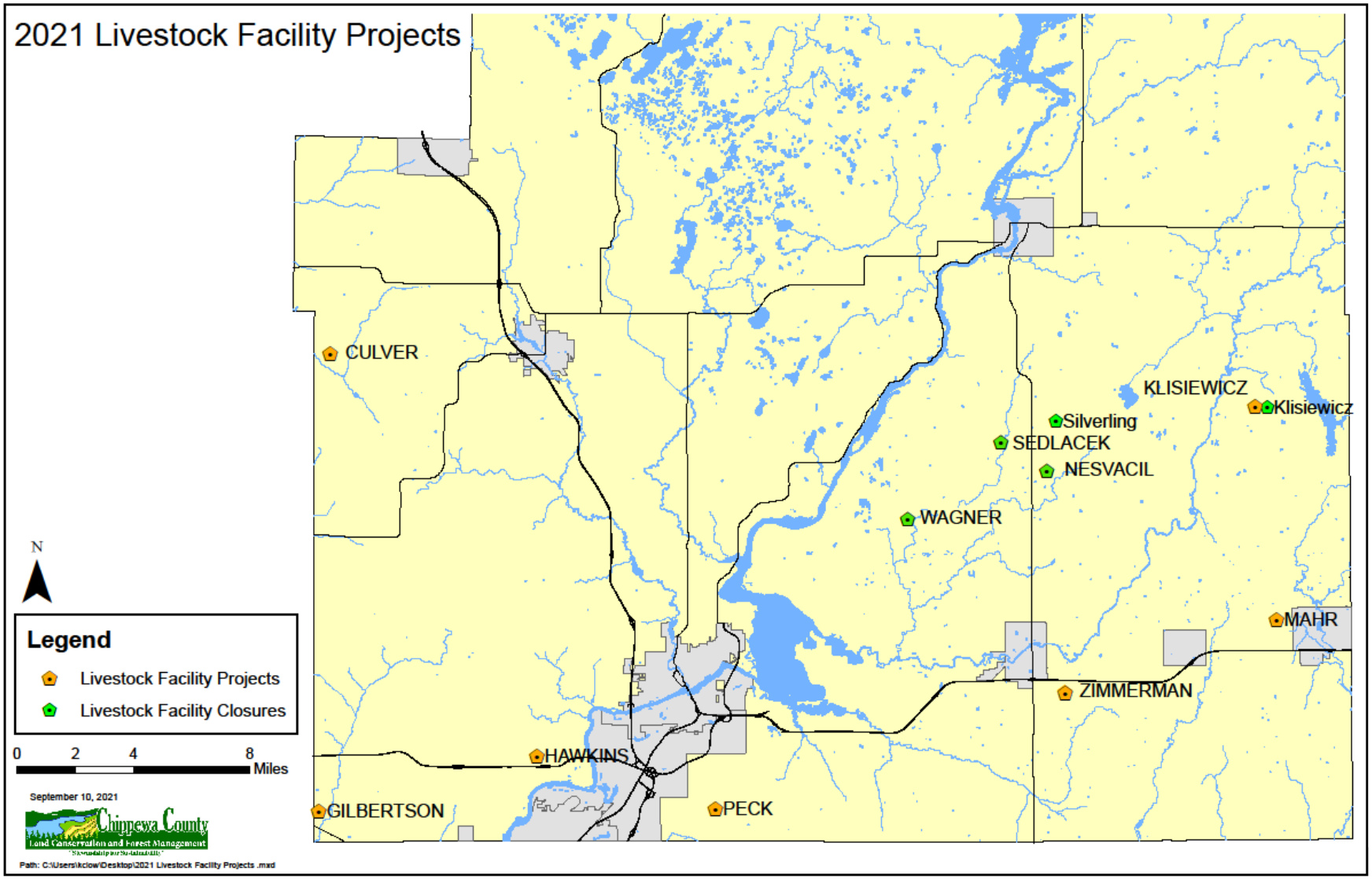
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KEY

- CAFO
- ZONING (CUP)
- NR243 Regulatory
- ON HOLD

Attachment: Overview of Current Livestock Facility Projects & Permitting Status (6556 :

# Dept. of Land Conservation & Forest Management




Attachment: Overview of Current Livestock Facility Projects & Permitting Status (6556 :

## Gilbertson Farms (CUP)

Constructed in 2021

- Freestall Barn
- Transfer System
- Concrete Waste Storage Facility



## Solhawk Dairy, Inc (CAFO & CUP)

- Freestall Barn
- Transfer System



## Mahr Brothers, LLC (CAFO)

- Waste Storage Facility
- Transfer System
- Freestall Barn Expansion



## Klisiewicz Farms

- Pre-ordinance Waste Storage Facility Closure
- Waste Storage Facility
- Transfer System
- Bedded Pack Barn



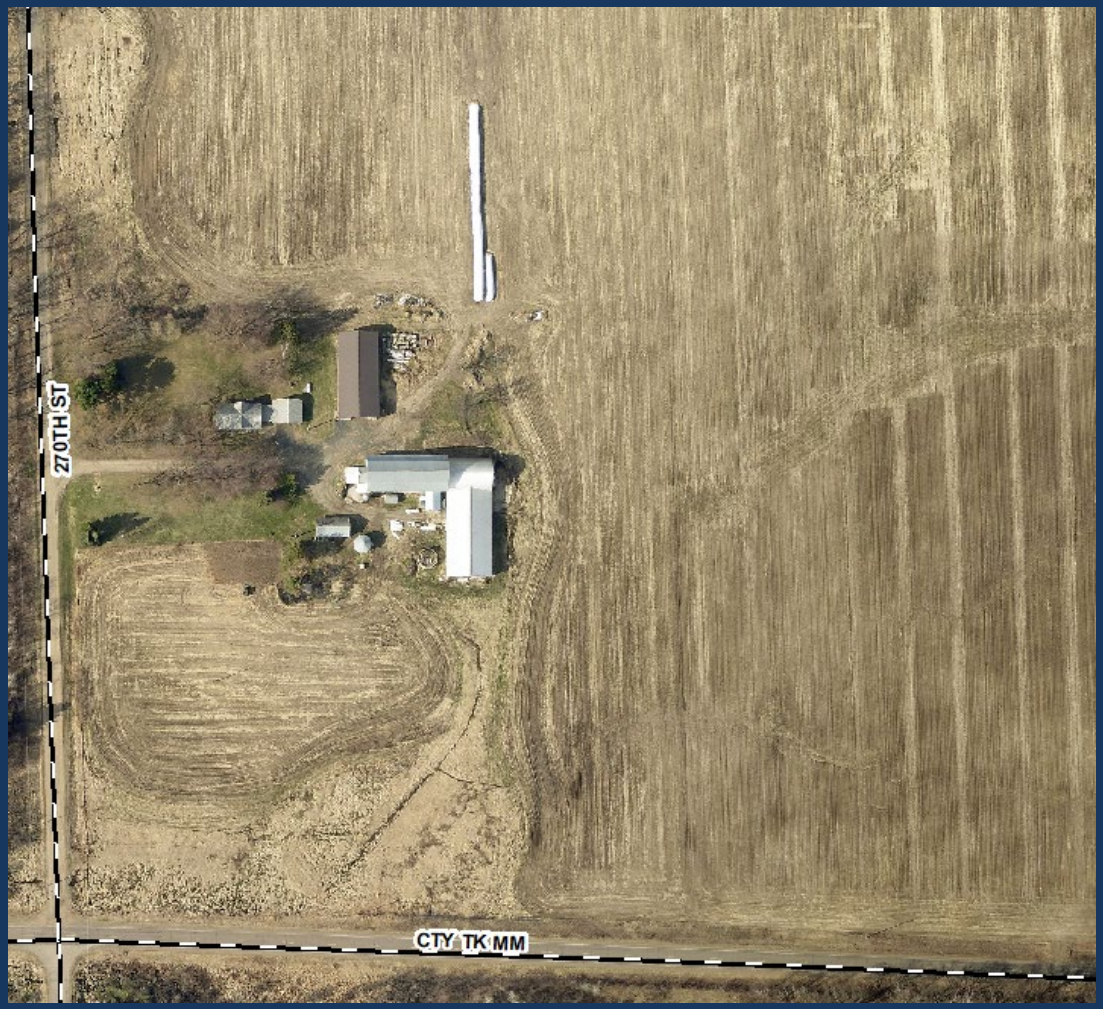
## Culver Farms

- Compost/WSF Facility
- Milkhouse Waste Transfer System (Constructed in 2020)



## Wayne Zimmerman

- Waste Storage Facility
- Transfer System



## Peck Farms

- Transfer System
- Freestall Barn Expansion



## Bernard Siverling

- Waste Storage Facility Closure





## WSF Closures

### Dakota Wagner



### Craig Sedlacek



### Greg Nesvacil



# Dept. of Land Conservation & Forest Management

We would be pleased to address any questions.

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

Attachment: Overview of Current Livestock Facility Projects & Permitting Status (6556 :

**STATEMENT OF EXPLANATION**
**CONSIDER APPLICATION FOR CHIPPEWA CO. STEWARDSHIP PROGRAM MATCHING GRANT TO ACQUIRE LAND FOR CONSERVATION AND PUBLIC USE IN T31N, R9W, SEC. 12 & 13, SUBMITTED BY PHEASANTS FOREVER**

The LCFM administers the Chippewa County Stewardship Fund following policy and procedures adopted by the County Board. The fund is used to by the County to: 1). Receive public contributions ($) and donations of land for conservation purposes 2). Purchase land or conservation easements for conservation purposes, and 3). Distribute 1:1 match grants to eligible municipalities and non profit organizations to support the purchase of conservation and recreational lands for public outdoor recreational use.

Pheasants Forever has applied for a match grant in the amount of $50,000.00 to purchase parcels located in the Town of Bloomer in T31N, R9W, Sections 12 & 13.

Under the project proposal, the parcels will be purchased to increase the size of the adjacent McCann Creek Fishery Area, and improve public access and recreational opportunities.

On 7/21/21, the Committee reviewed a staff report (dated 7/15/21) on the Chippewa County Stewardship Fund application from Pheasants Forever.

On 8/18/21, the Committee reviewed the purpose of the project and general content of the application and staff report. The Committee also discussed the process used by the State to review and act upon applications to the Knowles-Nelson Stewardship Fund, as well as the timing of the Committee action in relation to the timing of a State decision on the Knowles-Nelson Stewardship Fund application.

This agenda item has been scheduled as a business item to facilitate possible Committee action.