



RESOLUTION # 27-10/19

TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY
BOARD OF SUPERVISORS

ITEM # 10-14

BOARD ACTION

Adopted: ☒
For: 23
Against: -
Abstain: -
Abs/Excd: 5
Vote Req: -
Other Action: -
Incumbent Dist 12

**PLANNING
RESOURCES &
DEVELOPMENT
COMMITTEE
ACTION**

Adopted: ☒
For: 5
Against: 0
Abstain: 0
Abs/Excd: 3

RE: **APPROVAL OF THE LA CROSSE COUNTY LAND AND WATER RESOURCE
MANAGEMENT PLAN 2020-2029**

WHEREAS, Wis. Stat., s. 92.10 created a county land and water resource management program in Wisconsin; and,

WHEREAS, the planning program requires counties to develop land and water resource management plans that identify soil and water resource concerns and the methods to protect and enhance those soil and water resources; and,

WHEREAS, the La Crosse County Land and Water Resource Management Plan 2020-2029 has been developed as the implementation document to protect the County's soil and water resources and to fulfill statutory requirements which will allow the Department of Land Conservation to receive implementation grants from the State of Wisconsin; and,

WHEREAS, the Planning Resources and Development Committee held a public hearing on the Land and Water Resource Management Plan on September 3rd, 2019 and recommends the approval of such Plan as being in the best interests of La Crosse County.

NOW, THEREFORE BE IT RESOLVED, that the La Crosse County Board does hereby approve the La Crosse County Land and Water Resource Management Plan 2020-2029.

FISCAL NOTE: The cost of implementing this Plan is included in the Land Conservation Budget.

Date: 9.30.19

**PLANNING RESOURCES &
DEVELOPMENT COMMITTEE CHAIR**

Date: 09.30.19

RECORDING CLERK

	Reviewed Only	Recommended	Not Recommended
Co. Admin.		<u>30</u>	
Fin. Director	<u>SPD</u>		
Corp. Counsel	<u>MD</u>		
Board Chair			

Requested By: Gregg Stangl
Date Requested: October 1, 2019 *Sept. 13, 2019*
Drafted By: Corporation Counsel

Adopted by the La Crosse County Board this 17 Day of October, 2019

STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 17th day of October 2019.

Ginny Dankmeyer, La Crosse County Clerk

Land & Water Resource Management Plan

2020 - 2029



LA CROSSE COUNTY

Wisconsin's Natural Resource Stewardship

PLAN SUMMARY

La Crosse County sits in the heart of the un-glaciated area of the Upper Midwest known as the Driftless Region. The Driftless Region of Wisconsin is a unique landscape comprised of deep valleys and steep bluffs. This area was bypassed by the most recent glacial advance but was highly dissected by the glacial melt water when the glaciers receded over 12,000 years ago. The landscape here consists of towering bluffs and vast coulees that provide panoramic views of contoured farm fields, wooded hillsides and clear running streams. Bordered by the Mississippi River to the west and the Black River to the north, La Crosse County is rich in high quality natural resources. Diverse and complex ecosystems thrive here. La Crosse County and the Coulee Region support many rare plants and animals that are only found in this part of the country. This abundance of natural resources and beauty has led the La Crosse area to be known as "God's Country". Over 130,000 people choose to live here and many more come to visit, primarily because the quality of life the area has to offer is unmatched. The natural resources base of this area contributes mightily to that desire to be a part of God's Country.

The La Crosse County Department of Land Conservation has been charged with the responsibility of protecting and enhancing the soil and water resources of the county. In conjunction with our conservation partners, Department of Natural Resources, (DNR) Natural Resources Conservation Service (NRCS) and Department of Agriculture, Trade and Consumer Protection (DATCP), we develop and administer programs that provide technical, planning and financial assistance to landowners that cooperatively implement conservation measures that protect soil and water resources. The purpose of the La Crosse County Land and Water Resource Management Plan is to:

- Identify and prioritize natural resources issues and concerns for La Crosse County
- Develop a coordinated effort to resolve those issues and concerns
- Provide guidance for cooperating agencies to assist in implementing the plan
- Develop activities, goals and objectives that give clear direction for implementation of the plan
- Obtain financial assistance to implement the Land and Water Resource Management Plan

Funding for cost share assistance to cooperating landowners will be a necessity to provide incentive for conservation program participation. The Department of Land Conservation is required to provide cost share assistance when implementing the rules of NR 151. Providing financial assistance for those participating in the state's Farmland Preservation Program is not required but incentive money will be critical in achieving and maintaining conservation compliance.

Abbreviated Table of Contents

Chapter 1: Background, Plan Development, Citizen Participation, Public Input, Plan Oversight, Funding and Mandates, Program of Work, Estimated Program Costs

Chapter 2: 2012-2019 Plan Accomplishments

Chapter 3: Basins, Watersheds, Water Quality Assessment-Goals and Standards, Water Quality Monitoring, Topography, Land Use, Soil Erosion Conditions, Water Quality Assessment Schedule

Chapter 4: Agricultural Performance Standards- NR 151, ATCP 51, County Activities Subject to Regulation- Chapter 23, Permits, Enforcement, Technical Requirements

Chapter 5: Agricultural Performance Standards Implementation, Prioritizing for Compliance, Priority Farms-Farmland Preservation Program, Targeted Watersheds, Financial and Technical Assistance Policies, Cost Share Sources, Information and Education, Nutrient Management, FPP Self Certification, Basin and LWRM Plan Coordination, Tracking and Monitoring, Intergovernmental Cooperation, Agricultural Performance Standards Implementation Schedule

Chapter 6: Urban Performance Standards Implementation, Urban Land Use Assessment, NR 151 Non-Agricultural Performance Standards, NR 216 Storm Water Discharge Permits, Non-Agricultural Performance Standards Implementation, NR 216 Implementation, Urban Performance Standards Implementation Schedule

Chapter 7: Non-Metallic Mining Ordinance, County Reclamation Program, Non-Metallic Mining Ordinance Schedule

Chapter 1: Introduction

Background: This plan is a revision of the 2012-2019 La Crosse County Land and Water Resources Management Plan. This plan is in response to Wisconsin 1997 Acts 27 and 1999 Act 9 which amended Chapter 92 to require counties to develop and implement Land and Water Resources Management plans.

Plan Development: The La Crosse County Department of Land Conservation convened a meeting of cooperating agencies on August 18th, 2018 to review natural resources data and discuss current resource management issues in La Crosse County. Representatives from the Department of Natural Resources, Natural Resources Conservation Service, Farm Service Agency and UW-Extension were in attendance.

Citizen Participation: Land Conservation Department staff held two citizen participation meetings throughout La Crosse County to solicit public input regarding natural resources issues and concerns and how DLC staff can address them through program administration. For urban related issues, a contracted environmental educator conducted public information and outreach programs to involve businesses and homeowners regarding erosion control and stormwater management practices.

Public Input: A public hearing regarding the contents, goals and objectives of the La Crosse County revised Land and Water Resources Management Plan was held on Tuesday, September 3rd, 2019 at 6:00 pm in the La Crosse County Administrative Building, 212 6th Street North, Room 430, La Crosse, WI 54601.

Plan Oversight: The La Crosse County Planning, Resources and Development Committee has approved procedures for the implementation and any revisions of this plan.

Program of Work: The Department of Land Conservation has two primary areas of work which consist of rural programs and urban based programs. The department has trained staff that assists the public with wide-ranging issues that may involve animal waste management or complex storm water runoff control in an urbanized area. The Department of Land Conservation has 7 full-time employees. The Department has 14,430 available staff hours annually.

Estimated Program Costs: Department staff has estimated that it will cost \$11,230,050 to implement this plan with the State of Wisconsin providing \$7,471,670 and La Crosse County providing \$3,758,380 over the ten-year period.

Chapter 2: 2007-2011 Plan Accomplishments

2012-2019 Plan Accomplishments: Records indicate that the DLC was successful in obtaining all the “high priority” goals and objectives for both the agriculture and urban programs and nearly accomplished all of the other goals set by the PR&D Committee.

Chapter 3: Water Quality Assessment

Basins: La Crosse County contains two primary watershed basins; the Black River Basin and the La Crosse-Bad Axe River Basin. Both basins drain to the Upper Mississippi River Watershed Basin.

Watersheds: La Crosse County has many diverse sub-watersheds. Many of them are high value resources that support cold-water sport fisheries. Other watersheds often support warm-water sport fisheries and receive high levels of recreation from fishing to canoeing and kayaking as well as swimming and recreational boating.

Water Quality Goals and Standards: The PR&D Committee has established goals for the County’s water resources that are in line with other County Departments, State and Federal Agencies and based on scientific research. The committee has established the following water quality parameters; total phosphorus- 0.05 mg/L or less, fecal coliform bacteria-1000 colonies/100 ml and dissolved oxygen-not less than 5 mg/L of water at any time of the year, not less than 6 mg/L of water for streams supporting a cold water sport fishery and no less than 7 mg/L of water during trout spawning seasons.

Water Quality Monitoring-Performance Standards: La Crosse County has operated an extensive stream water quality monitoring station since 1995. The DLC staff also regularly monitors 27 of the County’s largest sub-watersheds to watch for possible pollution from agricultural sources and get a general idea of the overall health of the County’s streams.

Topography, Land Use, Soil Erosion Conditions: La Crosse County is located in the heart of Wisconsin’s drift-less region. It consists of steep bluffs and deep coulees covered by rich and fertile, wind-blown silt loam. There are 170,000 acres of farmland in the county, most of which is cropped for feeding dairy cattle or for cash grain. Much of the farmed acres are steep slopes that are susceptible to soil erosion and animal waste runoff. It is estimated that the County’s average erosion rate is 4.2 tons/ac/yr compared to the County’s average “tolerable” soil loss rate of 4.5 tons/ac/yr.

Water Quality Assessment Schedule: The DLC has established a schedule for monitoring the County's water resources over the next ten years and have estimated the associated costs at \$542,600.

Chapter 4: Agricultural Performance Standards

State Agricultural Performance Standards, NR 151: It is the intent of this plan and the DLC to implement the state's agriculture performance standards and prohibitions and incorporate the practices in all department activities and programs.

ATCP 51: La Crosse County, by way of a zoning ordinance, regulates the number of animal units that a landowner may keep on their property before needing to obtain conditional use permits. The County's limit is 500 animal units for new and expanding operations or a 20% increase in animal units for existing operations with more than 500 animal units. The DLC uses the ATCP 51 Livestock Facility Siting Application and rule process to review affected farming operations.

County Activities Subject to Regulation, Chapter 23: La Crosse County adopted an Animal Waste Management Ordinance in 1998. The ordinance regulates the construction and operation of both animal feedlots and manure storage facilities. The ordinance incorporates and enforces the Agriculture Performance Standards and Prohibitions of NR 151.

Permits: Permits are required for the construction of new manure storage facilities and feedlots. Notices of non-compliance may be issued for existing feedlots and storage facilities that do not meet ag performance standards and prohibitions.

Enforcement: La Crosse County can take enforcement and appeals action for non-conforming pre-existing regulated activities by way of the Animal Waste Management Ordinance-Chapter 23.

Technical Requirements: The Department of Land Conservation utilizes the Best Management Practices as listed in ATCP 50 Subchapter VIII. Conservation practice installation is also done in accordance with the USDA-NRCS Field Office Technical Guide.

Chapter 5: Agricultural Performance Standards Implementation

Prioritizing for Compliance: Agricultural facilities that are new or expanding and sites previously determined to be non-compliant with the agriculture performance standards will be given highest priority for technical and financial assistance when enforcing the state ag performance standards under NR 151.

Priority Farms, Farmland Preservation Program: La Crosse County is zoned as exclusive agriculture. There are currently 261 participants in the FPP in the county. All participants will be required to be in full compliance with NR 151 ag performance standards to remain eligible to receive the program tax credit. DLC staff will provide planning and technical assistance and privileged financial assistance for those program participants who wish to stay eligible for the program. They are the DLC's highest priority farms.

Targeted Watersheds: The DLC participates in the DNR's Targeted Runoff Management grant program to correct agriculture related water quality issues. The Department targets watersheds with degraded water quality that are listed by the DNR as an impaired water body. The Bostwick Creek Watershed is given a high priority and has an approved 9 Key Elements Plan. Funding for implementation of the 9 Key Elements Plan will be applied for through the DNR's Targeted Resources Management Grant Program.

Financial and Technical Assistance Policies: The Department of Land Conservation will allocate limited financial assistance monies to those landowners who are 1. in the Farmland Preservation Program and are found to be non-compliant. 2. Those landowners located within the Bostwick Creek Watershed project area. 3. Those landowners seeking to voluntarily comply with the NR 151 ag performance standards. 4. Those who are facing enforcement actions due to noncompliance issues and are considered a threat to the health and safety of the general public and aquatic life. Technical assistance policies mirrors those for financial assistance. No assistance, financial or technical, is given to those applying for a permit under ATCP 51.

Cost Share Resources: La Crosse County utilizes the following sources to provide cost share assistance to landowners who participate in county conservation programs; La Crosse County Environmental Fund, DATCP's Soil and Water Resource Management Program, DNR's Targeted Runoff Management grant program and the USDA-NRCS Environmental Quality Incentive Program.

Information and Education Program: The Department of Land Conservation will work with UW-Extension Services to develop and implement an effective educational program for rural landowners and will continue to have town hall meetings

regarding program updates. The Department will also engage in long-term contracts with NewGround for educational services for the Stormwater Runoff Management Program.

Nutrient Management: Land Conservation staff, in conjunction with NRCS, will continue to provide nutrient management planning assistance for farmers who need to remain in compliance with conservation standards. The DLC will attempt to assist with the nutrient management plan writing until the workload exceeds staff capacity.

FPP Self Certification: La Crosse County provides a self-certification process for FPP participants to easily certify their compliance with the ag performance standards and prohibitions.

Basin and LWRM Plan Coordination: The Department of Land Conservation and Department of Natural Resources will continue to work cooperatively to develop and implement strategies that address local water resources concerns.

FPP and Tracking: Department staff will monitor conservation compliance requirements for FPP participants with mandatory annual crop reporting and on site spot-checks once every four years. Staff will also assist new FPP applicants in meeting the soil and water conservation requirements of the program.

Intergovernmental Cooperation: The La Crosse County Land and Water Resource Management Plan relies on the cooperation of departments and agencies at the Town, County, State and Federal level. The DLC will continue this relationship when implementing the plan.

Agricultural Performance Standards Implementation Schedule- Objectives, Actions, Dates, Costs: This plan sets program goals, anticipated actions and timelines and highly subjective estimated costs.

Chapter 6: Urban Performance Standards Implementation

Urban Land Use Assessment: Urban sprawl around the La Crosse Metro Area continues to convert agricultural lands. The economic slow-down from 2008 has stymied the conversion of farmland to residential and hobby farm uses. There are over 2400 undeveloped lots available in La Crosse County, enough to supply the expected growth in the County for the next 25 years.

NR 151 Non Agricultural Performance Standards for Construction Site Erosion Control and Storm Water Management: The La Crosse County Land and Water Resource Management Plan references the Best Management Practices as listed in Subchapter III of NR 151. These BMP's are assumed to provide an 80% reduction in sediment load on construction sites.

NR 216 Storm Water Discharge Permits: La Crosse County is listed as a municipal separate storm sewer system (MS4) and is required to obtain a Wisconsin Pollution Discharge Elimination System permit.

Non Agricultural Performance Standards Implementation: The La Crosse County Board of Supervisors approved the Post-Construction Storm Water Management Ordinance in November of 2008. The County Board has also adopted an erosion control and land disturbance ordinance in 1992 and revised it in 2017. These ordinances control erosion and storm water runoff from construction sites.

NR 216- Implementation of MS4 Requirements: This plan describes the details for implementing the requirements of the County's WPDES permit including Public Information and Outreach, Illicit Discharge Detection and Elimination, Construction Site Pollutant Control, Post-construction Site Storm Water Management and Pollution Prevention/Good Housekeeping.

Chapter 7: Non-Metallic Mining Ordinance

County Reclamation Program: La Crosse County has established a mine reclamation program to regulate 17 non-metallic mines which include 190 active acres. The program requires mine owners and operators obtain permits with the submittal of a mine reclamation plan and provide financial assurance until the mine is completely reclaimed. Annually, DLC staff inspects the mines and reports the active acres at each site.