

CONSERVATION EDUCATION AND ECONOMIC DEVELOPMENT COMMITTEE

DATE: Wednesday, November 1, 2017
TIME: 9:00 a.m.
LOCATION: Wood County Courthouse, Room 115

1. Call meeting to order
2. Public Comments (*brief comments/statements regarding committee business*)
3. Review Correspondence
4. Consent Agenda
 - A. Approve minutes of previous meeting
 - B. Approve bills
 - C. Receive staff activity reports
5. Risk and Injury Report
6. Land & Water Conservation Department
 - A. Review change to #801 - Animal Waste Storage & Nutrient Management Ordinance for the county recodification process.
 - B. Review change to #802 - Nonmetallic Mining Reclamation Ordinance for the county recodification process.
 - C. Update on the Food, Land & Water Conference.
 - D. Update on the 9-Key Element Planning Grant process for Mill Creek Watershed & 14 Mile Watershed.
 - E. Update on the Land & Water Management Plan – 5 year review.
 - F. Discuss #3 and #4 of Supervisor Leichtnam's recommendations.
7. UW Extension
 - A. Budget Update, as needed
 - B. UW System Restructure Hausler
 - C. Staffing Updates & nEXT Gen Hausler
 - D. Visioning Session Update Hausler
 - E. Wood County 4-H Introduces Youth to Electricity Huber
8. Economic Development
 - A. Update from Marshfield Economic Development Board – Jason Angell
9. County Surveyor
 - A. County Surveyor Annual Report – Kevin Boyer
10. Planning
 - A. Discussion and possible action on Senate Bill 387 (Homeowner Bill of Rights)
11. Schedule next regular committee meeting – 9:00 a.m. Wednesday, December 6, 2017.
12. Agenda items for next meeting
13. Schedule any additional meetings if necessary.
14. Adjourn

MINUTES
 CONSERVATION, EDUCATION & ECONOMIC DEVELOPMENT COMMITTEE
 WEDNESDAY, OCTOBER 4, 2017
 WOOD COUNTY COURTHOUSE, ROOM #115, WISCONSIN RAPIDS WI

Members Present: Hilde Henkel, Kenneth Curry, Robert Ashbeck, Bill Leichtnam, Adam Fischer and Harvey Petersen.

Staff Present:

Planning & Zoning Staff: Jason Grueneberg.
 Land & Water Conservation Staff: Shane Wucherpfennig and Lori Ruess.
 UW Extension Staff: Jason Hausler and Peter Manley.

Others Present: Dist. #14 Supervisor Dennis Polach, Dist. #15 Supervisor Bill Clendenning, Jeremy Sickler, Alexander Field Airport Manager.

1. **Call to Order.** Chairperson Hilde Henkel called the CEED meeting to order at 9:00 a.m.
2. **Public Comment.** None.
3. **Review Correspondence.**
 - A. Adam Fischer received a copy of the North Central CAP report and forwarded it to Jason Grueneberg. Jason will review the report and include a copy in the November CEED packet.
 - B. Bill Leichtnam requested that someone from the Land & Water Conservation Department attend the October 16th and 17th Food, Land & Water Conference in Elkhart Lake. The staff person that attends should complete a summarized report for the CEED on the breakout sessions attended.
 - C. Peter Manley mentioned that one of his employees was out due to the loss of an immediate family member. The CEED offered their condolences.
4. **Consent Agenda.** The Consent Agenda included the following Items: 1) minutes of the September 6, 2017 and September 19, 2017 CEED meetings, 2) bills from Planning & Zoning, Land & Water Conservation and UW Extension and 3) staff activity reports from Jason Grueneberg, Adam DeKleyn, Justin Conner, Jeff Brewbaker, Stevana Skinner, Kim Keech, Victoria Wilson, Shane Wucherpfennig, Tracy Arnold, Adam Groshek, Emily Salvinski, Lori Ruess, Peter Manley, Matt Lippert, Jodi Friday, Chris Viau, Laura Huber and Jeremy Erickson.
 - A. Minutes of September 6, 2017. No additions or corrections needed.
 - B. Minutes of September 19, 2017. No additions or corrections needed.
 - C. Department Bills. No questions or comments.
 - D. Staff Activity Reports. No questions or comments.

Motion by Adam Fischer to approve and accept the September 6, 2017 and September 19, 2017 CEED minutes, bills from Planning & Zoning, Land & Water Conservation and UW Extension, and staff activity reports as presented. Second by Kenneth Curry. Motion carried unanimously.

5. **Risk and Injury Report.** Nothing new to report this month.

With no opposition, Chairperson Henkel moved up agenda item # 8A.

Economic Development Update from Airport Manager, Jeremy Sickler on Alexander Field planned upgrades using \$4 million of budgeted state funds.

Jeremy Sickler reviewed the airport funding and infrastructure layout with the committee. He explained the 2017 upgrades and 2018 surface development expansion will be funded through the FAA. The upgrades focus on safety, efficiency and the need to accommodate the increase in air

crafts using the airport. There are still some unanswered questions regarding the \$4 million in state funds; trying to figure out how it will be administered and timing of building. He is still looking for additional funding to cover all the proposed upgrades at Alexander Field.

Following the presentation, questions from the CEED were answered.

6. UW Extension

- A. Budget Update as Needed. No update on the county budget. Jason Hausler gave an update on the state budget. UWEX looking to hire upwards of 80 positions statewide, including filling of vacant positions and addition of new positions (20 positions will be hired in December – first round of hiring).
- B. Kyli Brown, 4-H Program Assistant Resignation. Kyli Brown resigned effective October 2nd. She accepted a position with the Auburndale School District. Jason Hausler worked with the state office to bump up Laura Huber's appointment to 100%. This will be effective through December 1st or as long as it takes to refill the 4-H Program Assistant position.

Bill Leightnam expressed concerns with the recent turnover of UWEX staff and questioned if it was due to uncertainties with the nEXT Generation reorganization. Jason Hausler reassured the CEED if the county invests in a position the state will also invest in that position. He added the recent resignations were not because of the reorganization, but for personal reasons.

- C. Refilling Open Positions, Process. Jason Hausler discussed with the committee the process for refilling positions, specifically the three vacant positions in the Wood County UWEX Department. There will be a Community Conversation and Visioning Session for Wood County community partners on Wednesday, December 6, 2017 at McMillan Library from Noon to 3:00 p.m. The conversation will focus on current needs, emerging trends and future opportunities for UW-Extension educators to affect change in the community.

Jason explained that the 4-H Program Assistant position is a 100% county funded position in the nEXT Generation model, not a tenure track position. The Youth & Family Education and Communities Extension Education positions are "pay for service" positions with the nEXT Generation model. Jason will forward a table with staff appointment per FTE to the CEED.

- D. Clean Sweep Report. Peter Manley reported the 2017 Clean Sweep which was held on Saturday, September 30th at the Saratoga Town Hall went very well. 175 vehicles dropped off waste which amounted to approximately 8,000 lbs. Funding for the 2017 Clean Sweep came from a state grant and some county funds.

7. Land & Water Conservation Department.

- A. Discuss the effects future Municipal Phosphorus options may have on CEED of the Land & Water Conservation Department. Shane Wucherpfennig stated that agenda items 7A & 7F are kind of blended together, so 7F will be covered at this time too. He explained Total Maximum Daily Load (TMDL) - a regulatory term describing a plan for restoring impaired waters that identifies the maximum amount of pollutant that a body of water can receive while still meeting water quality standards. The DNR has inventoried major waterways and is encouraging Wood County to apply for a 9-Key Element Plan grant for Mill Creek and 14-Mile Creek. A 9 Key Element plan is used in watersheds with impaired waters or used to protect watersheds not yet impaired and is required to participate in an adaptive management project and to be eligible for Phosphorus reduction funds from municipalities and other WPDES permit holders. The plan for Mill Creek would cover Wood and Portage counties and the plan for 14-Mile Creek would cover Wood, Adams and Portage counties. Wucherpfennig added he is currently working with Portage and Adams County to apply for the grants. The deadline to apply for the grants is October 15, 2017. If the grants are received, the counties will contract with a private company to write the plan, as they don't have the time or personnel to write them. Discussion followed.

Motion by Robert Ashbeck to approve the Land & Water Conservation Department to participate in applying for the 9-Key Element Plan grant as the initial step in participating in Adaptive Management. Second by Harvey Petersen. Motion carried unanimously.

- B. Ordinance Revisions – Nonmetallic Mining Reclamation & Animal Waste Storage Nutrient Management and Groundwater Protection. Shane Wucherpennig stated he has been working with staff on some revisions to the Nonmetallic Mining Reclamation and Animal Waste Storage, Nutrient Management and Groundwater Protection ordinances. He will get copies of the ordinances, indicating proposed changes, to the CEED committee prior to the November CEED meeting.
- C. Open Bids for Mike Duckett's Waste Storage Facility and Transfer and Approve Low Bid. This project was not put out on bids yet, so will be on a future CEED agenda.
- D. Approve Bids for Craig Brandl's Waste Storage Facility. Chairperson Henkel opened the bids for Craig Brandl's waste storage facility on September 26th. Bids were as follows; Mid Wisconsin Concrete & Excavating, LLC - \$77,912.00 and Jeff Ertl Trucking & Excavating - \$ 91,168.29.

Motion by Harvey Petersen to accept the low bid in the amount of \$77,912.00 from Mid Wisconsin Concrete & Excavating, LLC for the purpose of basing cost-share dollars for Craig Brandl's waste storage facility. Second by Robert Ashbeck. Motion carried unanimously.

- E. Fines & Forfeitures. Shane Wucherpennig explained the current fines and forfeitures procedure followed in the Land & Water Conservation Department. Fines are incurred due to a violation of one of the Land & Water Conservation Department ordinances. The ordinances allow for a fine per/ violation/per day. With the current procedure, fees for legal services are deducted off the fine by the Clerk of Courts prior to the LWCD receiving payment of the fine. Wucherpennig would like to revise the ordinance so that the court costs would be in addition to the stated fine. It was the consensus of the committee to add court costs to the existing fines. Wucherpennig was asked to bring a draft of the fines & forfeitures revisions to the November CEED meeting, based on feedback from the committee.
- F. 9-Key-Element Plan Grant. This item was covered under 7A.
- G. Land & Water Resource Management Plan 5-year Review. Shane Wucherpennig stated he received an email from DATCP regarding a 5-year review of current Land & Water Resource Management Plans. Wood County updated their plan in 2015, so he was confused if Wood County is included in the review which includes providing DATCP with accomplishments, progress and strategies as well as traveling to Madison to present a 5-8 minute PowerPoint to the Board. He will be contacting DATCP for clarification.
- H. Discuss Supervisor Leichtnam's recommendations. Bill Leichtnam handed out a packet of information on his 9 recommendations for Clean Water in Wood County. Two of the recommendations were discussed at this meeting; others will be discussed at future meetings.
 - a. Invite USDA Microbiologist Mark Borchardt to address entire Wood County Board on current "Water Quality research. This item was discussed at length. Following discussion, the following motion was made.

Motion by Adam Fischer to have Dr. Mark Borchardt give an educational presentation on Water Quality to The CEED sometime after December. Presentation is to be educational, no politics, no policies. Second by Kenneth Curry. Motion carried.

The Committee requested Shane Wucherpfennig contact Dr. Mark Borchardt and arrange a time for him to present to the CEED in early 2018.

- b. Suggest to Shane Wucherpfennig that the Land and Water Conservation Department use Davina Bonness, Conservationist from Kewaunee County, as a resource person. Supervisor Leichtnam stated he did not mean to offend the Wood County Conservationist, but instead thought that Wood County could reach out to Davina as a resource person for water quality on sensitive soils.

At this time, Kenneth Curry gave a brief report on the 2017 WCA Annual Conference that he attended on September 24-26th. Two of the breakout sessions that he found very interesting were "Future of Agriculture in Wisconsin" and "Groundwater in Wisconsin: An overview for Community Leaders."

8. Economic Development

- A. Update from Airport Manager, Jeremy Sickler on Alexander Field planned upgrades using \$4 million of budgeted State funds. This item followed # 5 on the CEED agenda.

9. Schedule Next Meeting.

The next regular CEED meeting is scheduled for Wednesday, November 1, 2017 at 9:00 a.m. at the Wood County Courthouse in Room #115.

10. Agenda items for next meeting.

- A. #3 & #4 of Supervisor Leichtnam's 9 recommendations for clean water in Wood County.

11. Schedule any additional meetings if necessary.

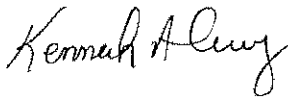
The CEED tour/meeting will be held on Friday, October 6, 2017.

The December CEED meeting will be held at McMillan Library and will be followed by the Community Conversation and visioning session.

12. Adjourn.

Motion by Harvey Petersen to adjourn at 11:50 a.m. Second by Adam Fischer. Motion carried unanimously.

Respectfully submitted,



Kenneth Curry, Secretary
Minutes by Lori Ruess, Land & Water Conservation Department
Review for submittal to County Board by Kenneth Curry (approved on 10-10-17 @ 9:24 a.m.)

MINUTES
 CONSERVATION, EDUCATION & ECONOMIC DEVELOPMENT COMMITTEE MEETING
 FRIDAY, OCTOBER 6, 2017
 WOOD COUNTY COURTHOUSE TO TOUR SITES

Members Present: Hilde Henkel, Kenneth Curry, Bill Leichtnam, Harvey Petersen (joined the tour at 8:30 a.m. - 12:50 p.m.) Bob Ashbeck (joined the tour at 11 a.m. - 1:50 p.m.)

Member Excused: Adam Fischer

Staff Present: Land & Water Conservation Staff – Shane Wucherpfennig, Tracy Arnold, Adam Groshek, Emily Salvinski, Lori Ruess
 Planning & Zoning Staff – Jason, Grueneberg, Jeff Brewbaker, Justin Conner, Adam Dekleyn, Stevana Skinner, Kevin Boyer - Surveyor
 UW Extension Staff – Jason Hausler, Matt Lippert (Matt joined the tour at MACCI)

Others Present: District #2 Supervisor Donna Rozar (joined the tour at MACCI), Roy Diver, NRCS, Russ Biebl, NRCS Scott Larson – MACCI - (MACCI site only).

1. **Call CEED Committee Meeting to Order.** Chairperson Hilde Henkel called the CEED meeting to order at 7:54 a.m.
2. **Public Comment.** There was no public comment.
3. **Committee Tour of Wood County Land & Water Conservation, Planning and Zoning and UW Extension Project Areas.** Tracy Arnold welcomed everyone to the 2017 CEED tour, introductions took place, and the bus departed from the Courthouse to the tour sites at 8:00 a.m.
4. **DQ Farms -** The visit to this site highlighted a concrete lined (liquid tight) structure and waste transfer along with feed storage. The manure storage facility was in the process of being emptied when we toured this site and we were able to watch the agitation process of the pit being done by a remote control boat agitator. This is done to mix the sand, liquids and manure prior to being pumped out of the pit. The landowner/operator, Quintin Enders, was at the site to answer questions.
5. **Floodplain Site -** This site was observed from the bus. Jeff Brewbaker pointed out an existing floodplain violation due to an older structure that was built in a mapped floodplain. He explained options the landowner could take to correct the violation.
6. **Lunch -** Lunch was served at MACCI and Scott Larson gave a presentation on the 2018 Farm Technology Days that will be hosted at the D& B Sternweis Farm and the Ken & Joellen Heiman and Kelvin and Marilyn Heiman family businesses.

Heiman's Holsteins - At this tour stop we viewed the newly constructed dairy facility and rotary parlor. Heiman's Holsteins ships their milk to their own processing plants - Nasonville Dairy and/or Weber's Farm Store. Mr. Heiman told us that there were seven people from China also touring the facility and that Nasonville Dairy would be shipping cheese to China in the near future, as part of a recent sales agreement.
7. **Weber Farm Store -** At this site we toured the store, milk pasteurization and milk packaging facility. Following the tour we were treated to an ice cream cone.
8. **Public Land Survey System Monument -** Kevin Boyer explained the Public Land Survey System (PLSS) by acting as a survey marker that was originally placed in the 1800 as a wooden survey marker. He explained all the changes

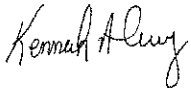
that took place since that original marker was placed. He also explained the ongoing need to maintain existing corners and to continually re-establish lost or obliterated corners.

9. Return to Courthouse by 3:00 p.m. – The bus returned to the Courthouse.

10. Adjourn.

Chairperson Hilde Henkel adjourned the meeting at 3:01 p.m.

Respectfully submitted,



Minutes by Lori Ruess, Land and Water Conservation Department
Review for submittal to County Board by Kenneth Curry (10-10-17 @ 9:24 a.m.)

4B

Committee Report

County of Wood

Report of claims for: LAND & WATER CONSERVATION DEPT

For the period of: OCTOBER 2017

For the range of vouchers: 18170150 - 18170161

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
18170150	MENARDS-MARSHFIELD	LWC - FIELD SUPPLIES	10/03/2017	\$41.93	P
18170151	WISCONSIN MEDIA	WLD - LEGAL NOTICE - BIDS	09/17/2017	\$61.37	P
18170152	ACE HARDWARE	LWC - ENVIRONMENTAL ED SUPPLIE	09/20/2017	\$4.47	P
18170153	MATTHEW'S TIRE CENTER-WR	LWC - SILVER TRUCK ALIGNMENT	09/27/2017	\$51.99	P
18170154	UNIVERSITY OF MINNESOTA	LWC - ENVIRONMENTAL ED SUPPLIE	10/10/2017	\$45.00	P
18170155	WUCHERPFENNIG SHANE A	LWC - DATA PLAN & MILEAGE REIM	10/06/2017	\$134.33	P
18170156	RUESS LORI	LWC - MILEAGE & TOUR SUPPLIES	10/05/2017	\$12.21	P
18170157	WRIGHTS CAP LLC	LWC - WINDOW/DOOR T HANDLE	07/20/2017	\$15.75	P
18170158	APPLE AWARDS	LWC - WOODEN NAME TAGS	10/11/2017	\$21.00	P
18170159	WAL-MART COMMUNITY/RFCSLLC	LWC/WD - FIELD, WLD, TOUR SUPP	09/20/2017	\$89.42	
18170160	GROSHEK ADAM	LWC - DATA PLAN & MILEAGE REIM	10/10/2017	\$63.17	
18170161	RUESS LORI	LWC - MEETING SUPPLIES	10/13/2017	\$14.54	
Grand Total:				\$555.18	

Signatures

Committee Chair: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Report

County of Wood

Report of claims for: UWEX

For the period of: October

For the range of vouchers: 30170138 - 30170144

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
30170138	POSTMASTER - WISCONSIN RAPIDS	CWAS Mailing	10/02/2017	\$93.44	P
30170139	ERICKSON JEREMY	ERICKSON SEPT EXPENSES	09/28/2017	\$128.40	P
30170140	EO JOHNSON CO INC	copier lease	10/17/2017	\$229.49	P
30170141	EO JOHNSON COMPANY INC	copies	10/17/2017	\$678.76	P
30170142	NATIONAL 4-H COUNCIL SUPPLY SERVICE	awards supplies	10/17/2017	\$1,031.73	P
30170143	UW EXTENSION	hippology publications	10/17/2017	\$9.00	P
30170144	UW SOIL TESTING LAB	SOIL TESTS	10/17/2017	\$308.00	P
Grand Total:				\$2,478.82	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Report

County of Wood

Report of claims for: Planning & Zoning Department

For the period of: October 2017

For the range of vouchers: 22170125 - 22170134

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
22170125	CARMODY DATA SYSTEMS INC	PS-Upgrades/Services (Oct)	10/01/2017	\$299.00	P
22170126	INDUSTRY SERVICES DIVISION	PS-State Sanitary Permit(Sept)	09/30/2017	\$1,500.00	P
22170127	RAPIDS FORD LINCOLN MERCURY	PS-Truck Maintenance	09/28/2017	\$78.82	P
22170128	OPPORTUNITY DEVELOPMENT CNTR	PS-Data Processing 2nd Mtce	09/29/2017	\$124.85	P
22170129	BOYER KEVIN	SU-Services Per Contract (Oct)	10/09/2017	\$833.00	P
22170130	GRUENEBERG JASON	PL-Expenses (Oct)	10/05/2017	\$210.83	P
22170131	SKINNER STEVANA	PS-Expenses (Oct)	10/18/2017	\$92.04	P
22170132	BREWBAKER JEFF	PL/PS-Expenses (Oct)	10/19/2017	\$38.75	P
22170133	CENTRAL STAKING INC	SU-County K & Y Sec Corners	10/10/2017	\$2,145.00	P
22170134	DEKLEYN ADAM	PL-Expenses (Oct)	10/24/2017	\$184.50	P
Grand Total:				\$5,506.79	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:



4C

Activities Report for Shane Wucherpennig October 2017

- **October 2** – Attended judicial & Legislative meeting.
- **October 2** – Worked on Construction plans for 2017 projects.
- **October 3** – Attended Executive Committee meeting.
- **October 4** – Attended CEED meeting.
- **October 5** – Held Department Staff mgt.
- **October 6** – Attended 2017 CEED Conservation
- **October 9** – Worked on Construction plans for 2017 projects.
- **October 10** – Wetland Field Day and Focus Group and tour of Mill Creek Watershed.
- **October 11** – Met with Jessica & Craig Brandl to sign CSA, Permit & discuss projects.
- **October 12** – Attended WI Land + Water 2017 Fall Technical Tour in Sheboygan County.
- **October 13** – Meet with Legislators at The Wood County LWCD Office.
- **October 15-17** – Attended Food, Land & Water Conference in Elkhart Lake
- **October 14** – Worked on Construction plans for 2017 projects.
- **October 15** – Inspection of work with Badger Sandstone Site.
- **October 15** – Took Silver truck in for repairs.
- **October 18** – Worked on Construction plans for 2017 projects.
- **October 19** – Worked on Construction plans for 2017 projects.
- **October 20** – Attended a PACRSD Mgt.
- **October 23** – Hosted The Woods and Wildlife for Today and Tomorrow Project at LWCD Office.
- **October 23** – Working Lunch with Adams, Wood & Waushara County Cons.
- **October 23** – Fourteen mile Creek 9-Key Plan Development mgt. with DNR & Wood, Adams, Waushara Counties
- **October 24** – Test hole Dig for Jim & Leslie Jagodzinski farm.
- **October 24** – Met with James & Leslie Jagodzinski to discuss robot barn expansion.
- **October 25** – Attended Central Sands Lakes Study County Conservationist Meeting in Waushara County.

October 13, 2017

Face to face with legislators

At the May special CEED meeting, Jon Hochhammer offered to set up a meeting with legislators to convey concerns about water issues. This meeting was delayed until after the budget was set, but the date of October 13 was offered.

WCA's Dan Bahr, Senator Patrick Testin and Rep. Scott Krug came to L & WCD for the discussion, which started with a 2 page list of concerns and proposed solutions which Supervisor Bill Leichtnam had prepared. Bahr noted that some of the items would not pass even in previous administrations and had no chance now. He also pointed out that extreme statements of dire outcomes discredit the legitimate activists.

Krug clarified the legislative process and suggested that incremental efforts where bipartisan support could be found were the most effective. It is important that some environmental groups testify in support of any bill to get it passed. He discussed the Kohls Krug bill from previous session which could come back with environmental support.

I really appreciated the time given by the legislators and WCA and the practical advice on how the process for legislation works. Both of them seemed well informed on the issues and open to conversation.

Activities Report for Tracy Arnold 10-2017

Wildlife Damage Abatement and Claims Program

- Maintaining DNR database with current Wood County information
- Continue to enroll landowners for the 2017 year
- Working to start/complete Ken Rezin Cranberry permanent woven wire fence
- 2 fences failed inspections for the year, working on getting those back into compliance
- Met with numerous landowners about shooting permits to evaluate crop damage amounts
- Justifying wildlife damage on numerous fields requesting shooting permits
- Met with 1 additional landowners interested in permanent fences
- Completed 800 acres of corn appraisals
- Completed 450 acres of soybean appraisals
- Conducted site visit for a failed fence, repairs were made and it now passes. Submitted required paperwork
- Numerous landowner calls about damage now that they are in the fields harvesting. Site visits to discuss program

Non-metallic mining reclamation program

- No forfeiture payment from B & R Excavating to date (since June 12, 2013)
- Updating NMM databases
- Site visit to Badger Sandstone, numerous discussion with Andy Nelson from ERC
- Investigated several complaint calls that came in regarding mining
- Preparing for 2017 NMM inspections
- Reviewed Wood County ordinance 802 for changes, presented to Shane Lori

Land and Water Conservation

- Entering stream flow data into the SWIMS database for 16 sites (authorized by state to enter data)
- Completed stream flow on Two Mile, Blood Run and Five Mile
- Chair of the Youth Education Committee for the WI Land+Water
- Secretary of the North Central Land and Water Conservation Area Association
- Continue planning the North Central Land and Water Conservation Area Association February meeting in Wisconsin Rapids.
- Facilitated the 2018 Fall CEED Tour with Land & Water, UWEX and Planning and Zoning
- Highlighted the Pittsville Rusty Crayfish Trapping Program on both WDLB in Marshfield and WFHR in Rapids with 4 high school students
- Collected numerous species of wildflower seeds for the 8 County wide Regional Pollinator Partnership
- Wrote a letter of support for Golden Sands RC&D, per Shane request
- Coordinating meeting with Golden Sands RC&D a new program they would like to work on in Wood County, per Shane request
- Created a PowerPoint presentation of our department for the special CEED meeting with local legislators
- Met with RC&D, DNR regarding the Woods and Wildlife for Today and Tomorrow Project
- Working on order forms and tree descriptions for the 2018 tree sale
- Requested new tree sale program from IT, current one is from 1995

Activities Report for Adam Groshek – October 2017

Land and Water Resource Management Program/Animal Waste Storage Ordinance/CREP Activities:

~Well decommissioning plan for Chris Pupols.

~CREP environmental benefit reports, scheduling office visits, contract signing and discussion, and GIS field tracking and documentation for Steven Wehling, Brockman's, Triple P Dairy, Richardson's, and Glen Peplinski.

~Stakeout, construction inspection for concrete/clay liner, alleviation of construction issues due to rain, redoing some of the clay liner, elevation discrepancies, etc of Tom Hamus's newly reconstructed manure storage facility.

~Attendance of the CEED tour to showcase Land & Water Conservation, Planning & Zoning, Surveying, & Economic Development projects throughout Wood County.

~UW-Extension wetland/un-productive farm field areas to take advantage of water control to prevent flashy runoff and flashy nutrient delivery to surface waters.

~DNR TMDL webinar discussing the TMDL process and tools available to view all collected data on impaired waters in the state.

~Review of the new 313 standard-Waste Storage Facility that was adopted in October to coincide with the updated National 313 standard last year. New standard puts more restrictions of building waste storage facilities in environmentally sensitive areas.

~Filling in for Shane for the "Business after 5" supper and tours to showcase the LWCD office in the RiverBlock building.

AC

Activities Report for Lori Ruess – October 2017

- Answered telephone and front desk questions.
- Mail pickup/delivery - Courthouse.
- Reviewed general ledger and payroll registers and completed journal entries to correct September payrolls.
- Completed September sales tax report and submitted report to Finance.
- Assisted Tracy with CEED tour preparation.
- Attended October 5th staff meeting and typed minutes.
- Attended October 6th CEED meeting and tour and typed minutes.
- Submitted the following CREP agreements along with necessary attachments to DATCP:
 - Russel & Arlene Brockman
 - Jeffrey & Susan Richardson
 - Glen Peplinski
- Completed cost-share contract for Nathan & Lynette Wolosek – Cover Crops & Residue Management.
- Completed cost-share contract for James Coenen – Cover Crops.
- Collected wildflower seeds for pollinator project with Tracy and Emily.
- Assisted Tracy with October stream flow monitoring.
- Completed draft of Wildlife Damage third quarter reimbursement request.
- Completed CREP Annual Report and mailed to DATCP.
- Worked with Scott Karel, DATCP, on requested recorded FPP documents for Mark & Donna Feirer.
- Working on Conservation Connection newsletter and the 2018 tree and shrub order form.
- Contacted Kelli in HR regarding errors on payroll register report.
- Completed journal entry request for monthly fuel charges and vehicle maintenance/repair from Highway Dept. and forwarded to Finance.
- Updated Nonmetallic Mining Reclamation Ordinance with proposed changes.
- Organized County Board and CEED packet information and took to County Clerk's office.
- Attended Benefits Open Enrollment meeting.
- Attended October 25th Employee Feedback meeting.

HC

**Activities Report for Emily Salvinski
October 2017**

- **Monday, October 2.** Updated numbers for NMFE report (for DATCP), plugged in numbers for final NMFE reimbursement request, started putting together NMFE extension request.
- **Tuesday, October 3.** Created mailing list for 2018 NMFE mailing
- **Wednesday, October 4.** Completed mailing list, merged into Publisher. Created shapefile for NMFE participants. Searched for and downloaded Portage aerial for GIS for fields extending to other side of boarder.
- **Thursday, October 5.** Added 2016 info to new NMFE shapefile. Organized website info. Attended staff meeting.
- **Friday, October 6.** Attended CEED Tour
- **Monday, October 9.** Vacation Day
- **Tuesday, October 10.** Learned how to reserve rooms in outlook, sent Environmental Education webpage materials to IT, listened to Tracy's radio spot, worked with AutoCad, started working on Wildlife Damage webpage.
- **Wednesday, October 11.** Helped Tracy with deer damage program.
- **Thursday, October 12.** Attended Technical Tour in Sheboygan Falls.
- **Friday, October 13.** Created new database for well info use, sent further website edits to It, listened to legislature meeting.
- **Monday, October 16.** Helped Tracy with wildlife damage program, read through manure ordinance to make edits.
- **Tuesday, October 17.** Put together office chairs. Added parsnip site found while walking fields to database, helped asses soybean damage.
- **Wednesday, October 18.** Matched parsnip IDs in database to document/form, worked on webpage.
- **Thursday, October 19.** Streamflow monitoring and seed collection for pollinator project.
- **Friday, October 20.** Went on a complaint investigation. Continued seed collection. Added new NMP acres to database and other files.
- **Monday, October 23.** Meeting with Golden Sands RC&D on newish program. Worked on seed packets, collected seed from landowner.
- **Tuesday, October 24.** Assisted with test hole dig, discussed cost share with landowner. Attended Central Sands groundwater group meeting.

Conservation, Education & Economic Development Committee Report for the month of October 2017

PETER MANLEY

Wood County UW-Extension, Community Resource Agent

- I attended and processed paperwork related to the October 4 CEED meeting. I have also been transferring duties to Jason Hausler, Area Extension Director.
- I co-taught a COLORS workshop for the annual conference of Child Support workers.
- I facilitated a leadership retreat, October 19-20, in Rosholt. This begins a 9-month experience for younger workers.
- We have a Civil Rights Review in November and on three separate days we began preparing for this review.
- I met with Madeline Pelz, Wisconsin Rapids Planning Department to discuss projects. I conducted several strategic planning efforts.
- The planning for the Marshfield Area Pet Shelter drew to a close and I forwarded them a report. The first strategic issue they are addressing is their organizational structure.
- I continued to meet with Nekoosa community leaders on their community strategic plan. They have identified and prioritized strategic issues. Adam Dekleyn from the Planning and Zoning Department is also working with them on a community survey.
- I also met with Marshfield Clinic staff for an annual update of the Healthy Lifestyles strategic plan.
- I facilitated a meeting of the Central Sands Groundwater Group, where we learned about nearby wetland projects from Tracy Hames, Wisconsin Wetlands Association.
- I facilitate an Employee Feedback meeting, October 25.
- I conducted a live WDLB call-in radio show, October 31.
- On the state level, I made input into the Standards Rank and Promotion Committee regarding tenure. I listened in on a teleconference regarding benefits.

MATT LIPPERT

Wood County UW-Extension, Agriculture Agent

- The Wisconsin State Cranberry Growers Association after several years of planning and fund raising has purchased a cranberry marsh in the Black River Falls area to serve as a research station for our state. I attended a meeting with specialists from UW-Madison as we toured the new marsh and made plans on how to best use this resource.
- I interviewed on WDLB and WFHR.
- I coordinated the all committee meeting; now happening monthly for Farm Technology Days.
- I attended the fund raising committee meeting for Farm Technology Days
- I attended the Executive committee meeting for Farm Technology Days
- I attended and assisted in the show ring for World Dairy Expo held in Madison, Wisconsin.

- I hosted the UW-Extension Department of Agriculture and Life Sciences, Standards, Rank and Promotion committee the committee met over two days to review portfolios considered for granting of tenure. We reviewed five applicants in October after having reviewed some of this also in August and September.
- I prepared along with colleagues plans for our upcoming civil rights review.
- I attended a program about farmland prices and rental rates for central Wisconsin.
- I plan to attend a session of the Central Wisconsin Ground Water Committee.
- I organized a pasture walk in conjunction with the USDA-NRCS. We had about 30 people attend.

JODI FRIDAY

Wood County UW-Extension, FoodWise Nutrition Educator

- Participated in the UWEX Wood County Civil Rights Training call (10/2)
- Supported the Courthouse United Way Walking Taco Fundraiser (10/5)
- Attended the Mead Healthy Families Committee meeting (10/6)
- Listened to the Shopping Matters Store Tour Wisline (10/9)
- Meet with mentee Zina Soltis from Waushara County to provide direction on the Title Review Process (10/11)
- Taught the first lesson in the new series Eating Smart Being Active. Lessons will continue Wednesday evenings for the next 9 weeks. (10/11, 18 & 25)
- Completed Pre-Evaluations with 5th Graders from Mead, Grove & Howe Elementary (10/12&13)
- Presented at FoodWise New Colleague Training in Madison focusing on Classroom Management Techniques and Effective Communication with Schools (10/16)
- Taught "Saving Money at the Store" to South Wood County Emerging Pantry clients for my Healthy Cents series. Participation continues to grow for these lessons (10/17)
- Participated in Civil Rights Prep meetings to prepare for our November Civil Rights Review (10/18 & 30)
- Attended the quarterly Recreate Health meeting (10/19)
- Taught in 11 classrooms to over 200+ 5th graders at the end of the month. The lesson series will continue into December for 5th graders.
- Participated in the Wood/Portage County FoodWise team meeting (10/23)
- Attended the Community Food System meeting (10/25)
- Participated in the Area 7 planning meeting. A meeting will be held in February to bring all of Area 7 together for our first face-to-face combined meeting. (10/26)
- Participated in weekly Wood County Staff meetings (10/2, 9, 16, 23 & 30)

CHRIS VIAU

Wood County UW-Extension, 4-H Youth Development Educator

The following is a summary of Youth Development activities:

4-H Club and Program Management:

- 4-H Leader Training- National E-Forum Series, Session 1

- Leadership Washington Focus Trip Planning and Logistics
 - 2018 program start-up. Answer questions, Reservations
- 4-H Club and Volunteer Management concerns
 - Annual Enrollment
 - Volunteer Background Check support (new process implementation)
 - 4-H Club transitions
 - Leadership changes and club dissolution
 - New Volunteer Training-6 attendees

Central WI State Fair

- Work with office staff to ensure completion of Jr. Fair Tasks
- Premium Check Processing
- Post-Fair Reports
- October Jr. Fair Board Meeting
 - 2017 Fair evaluation, judge selection process, potential schedule changes

Other

- Real Colors workshop at WSCSEA Conference- Host by Wood Co. Child Supporter

Administrative

- State and Regional Phone Conferences and Meetings
- Reorganization Updates
- 4-H Program Coordinator Hiring Process
- 4-H Youth Development Liaison Responsibilities- 25% FTE

Laura Huber

Wood County UW-Extension, 4-H Program Assistant

- Coordinated National 4-H Week promotion for Wood County 4-H which included a lawn display contest and a month-long display at the Everett Roehl Marshfield Public Library
- Taught electricity project meetings for the new SPARKS SPIN club (1,8, 15, 22, and 29 October.)
- Attended the Kids Yoga SPIN Club meetings on 12 and 26 October.
- Prepared materials for and edited the Youth Connections Wood County 4-H newsletter.
- Attended the Farm Technology Days meeting and the Junior Fair Board meeting on Wednesday, 18 October
- Co-taught the Volunteer in Preparation course for new adult 4-H volunteers on 19 October.
- Planned a tour of the Marshfield Fire Department for Wood County Cloverbuds on October 21. Ten Cloverbuds and four PALS members participated.
- Assisted office in preparing for the upcoming Civil Rights review.
- Attended a webinar to prepare for the November 4-H adult leader training "STEMming into Agriculture" on 23 October.

TO: Conservation, Education & Economic Development Committee

FR: Jason Grueneberg, Planning & Zoning Director
Adam DeKleyn, County Planner
Justin Conner, GIS Specialist
Jeff Brewbaker, Code Administrator
Stevana Skinner, Code Technician
Kim Keech, Admin Services 5
Victoria Wilson, Admin Services 4

RE: Staff Report for November 1, 2017

1. Economic Development (Jason Grueneberg)

- a. Marshfield Business Council – On October 31st, I attended the Marshfield Business Council meeting. Items that were discussed included Wenzel Family Plaza progress, and an update on Workforce and Economic Development issues.
- b. Marshfield Economic Development Board – On October 5th, I attended Marshfield Economic Development Board meeting. Some of the items discussed included progress of the Wenzel Family Plaza, advancing redevelopment plans in targeted areas of the city, and discussion of Job Center funding allocation.
- c. Central Wisconsin Economic Development (CWED) Fund Board Meeting – On October 18th, I attended the CWED board meeting. At the meeting one loan request was approved, current financials were reviewed, and a loan fund administrator update was provided.
- d. River Block Business After Hours – On October 18th, I attended and helped to host the ribbon cutting and Business After Hours event at River Block. The event was well-attended and County Supervisors and Staff did an outstanding job planning and hosting the event.
- e. Wisconsin Rapids Triangle Development Meeting – On October 23rd, I attended a meeting to discuss development ideas for the “Triangle Development” which is located directly west of the Courthouse. Market-rate residential along with other commercial and retail uses are anticipated on the property. There is hope that new market tax credits can be applied to the project to help offset some of the costs. More discussion regarding this development will take place in the future.
- f. Nekoosa Strategic Plan Meeting – On October 23rd, I attended the Nekoosa strategic planning meeting. Primary focus of this meeting was to take a first shot at identifying strategic issues in the City.

- g. Marshfield Downtown Meeting – On October 24th, I attended a meeting hosted by the Marshfield Convention and Visitors Bureau. The meeting was held at Rogers Cinema and the purpose was to view an assessment of the downtown from the perspective of a downtown redevelopment professional, Robert Brooks. The assessment highlighted deficiencies, positive examples, and ways to improve downtown retail activity and foot traffic. More discussions will follow regarding this assessment.
- h. Central Wisconsin Economic Development Fund Finance Committee Meeting – On October 25th, I chaired the CWED Finance Committee meeting. At the meeting we began review of the investment policy, reviewed invested idle funds, initiated the annual audit, and reviewed a potential nonperforming loan and its impact to loan loss reserve allocation.
- i. Wood County Public Property Meeting – On October 26th, I attended the Wood County Ad Hoc Property Committee meeting to discuss a strategy for selling County-owned property that is no longer needed.

2. Planning (Adam DeKleyn)

- a. City of Nekoosa Comprehensive Outdoor Recreation Plan (C.O.R.P.) – Planning committee met to review development standards for future park projects based on state and national guidelines. The common council has recently requested the committee to have discussion on potential ATV/UTV routes in the city. Plan is nearing completion.
- b. Plat Review Officer – (8) CSM's were submitted for review/approval. (3) CSM's were approved/recorded. (6) CSM's are pending approval.
- c. Wood County Parks, Recreation, and Open Space Plan – Community survey is being finalized. Tentative date for survey distribution is the beginning of the year. County park and recreation areas section of plan is being developed.
- d. Nekoosa Strategic Planning – Finalized the community survey that will be sent out towards the end of October to gather community input. The plan is intended to guide the future of Nekoosa over the next several years.
- e. REGI Municipal Forum – Represented the Wood County P&Z Department and provided an update of current projects at the county level.
- f. WI County Code Administrators (WCCA) Fall Conference – Attended WCCA fall conference. Topics covered: Legislative updates, DOT setbacks, PLSS re-monumentation, Shoreland/floodplain zoning, POWTS, WCA update, and BOA education.
- g. Future of Downtown Marshfield – Attended a presentation of a study that was performed in the City of Marshfield. The study assessed the current

strengths and weaknesses of the downtown area related to tourism, economic development, and community development.

- h. Heart of Wisconsin (HOW) Leadership Training Program – Attended the HOW leadership retreat to discuss leadership themes/strengths and participated in a land use planning education activity.
- i. CDAC – Council reviewed public feedback on preliminary objectives and recommendations. DMU boundary was reviewed and the council proposed a boundary modification west of the City of Pittsville.
- j. City of Marshfield Ordinance No. 1044 – Review and comment on proposed well abandonment and well operation permit ordinance.

3. Land Records (Justin Conner)

- a. Supervisory District Map – (<http://www.co.wood.wi.us/CountyBoard/>) Developed an interactive Supervisory District Map. Provides detailed access to district lines, pertinent election information and printable district maps.
- b. Healthy Wisconsin Leadership Community Leadership Program – Participation in leadership program through UW-Madison.
- c. Recreate Health – Health Dept. committee working on health promotion and infrastructure improvements.
- d. CEED Tour – Tour highlighting CEED committee activity.
- e. Property research – Worked with a couple different landowners on property line questions require deed and survey research.
- f. Parcel Mapping – Parcel mapping is caught up. Parcel changes are updated on the GIS web map within a week, on average, of being recorded in the ROD office.

4. Code Administrator's (Jeff Brewbaker and Stevana Skinner)

- a. Private Sewage Program, Permitting, Maintenance and Violations
 - i. (46) on-site investigations/inspections/compliances
 - ii. (1) septic system verification letters & failing system investigations
 - iii. (0) failing septic system orders, (0) holding tank maintenance violations & settlements
 - iv. (25) soil tests reviewed, (3) soil on-sites, (8) hydrograph reports reviewed, (1) interpretive soils report reviewed
 - v. (3) holding tank plan reviews, (9) conventional plan reviews, (9) mound plan review
 - vi. (19) sanitary permits reviewed

- vii. (0) court cases for malfunctioning septic system and overfull holding tanks (0) referrals servicing, (0) referrals invoices
- viii. (1) sanitary system easements
- ix. (0) camper complaints
- x. Continued training Stevana Skinner for her Certified Soil Tester License Exam that will be given on December 6.
- xi. Answered phone calls, emails and met in office regarding permitting and inspection questions.

b. Floodplain Ordinance Investigations and Permitting

- i. (4) site inspections, meetings or enforcement
- ii. (3) permit issued, screening sites or Letter of Map Amendment (LOMA)
- iii. (0) DNR Approved flood studies reviewed
- iv. (0) Cranberry farm certification
- v. (0) Updated Community Assistance Visit Violations
- vi. Answered questions from citizens regarding building in floodplain and shoreland areas.

c. Shoreland Ordinance Investigations and Permitting

- i. (4) general shoreland permits reviewed & issued
- ii. (0) mitigation plans reviewed, (1) exempt structure affidavit
- iii. (9) onsite pre-construction inspections, meetings & enforcement, compliances
- iv. (0) navigability determinations
- v. (2) wetland determination
- vi. Answered phone calls and met with various people at the counter regarding shoreland zoning requirements.

d. Attended Wisconsin County Code Administrators Fall Conference

There were a total of 10 different training sessions offered and well received at the conference held at Devil's Head Resort. The dates were 10/11 – 10/13.

5. Office Activity (Kim Keech and Victoria Wilson)

- a. Monthly Sanitary Permit Activity – There were 16 sanitary permits issued in September 2017 (4 New, 11 Replacements, 1 Reconnect and 0 Non-Plumbing) with revenues totaling \$7,675. There were 16 sanitary permits issued in September 2016 (8 New, 10 Replacements, 0 Reconnects and 0 Non-Plumbing) with revenues totaling \$6,200.

There were 142 sanitary permits issued through September 2017. For comparison purposes, following are totals through the same period for the previous five years: 2016 – 127, 2015 – 140, 2014 – 136, 2013 – 149 and 2012 – 139.

- b. 2017 Tax Refund Intercept Program (TRIP) – To date, Wood County has received \$5,458.69 on eight outstanding cases.
- c. 2017 Maintenance Notices
 - i. Septic Maintenance Notices, ATU (Aerobic) Maintenance Notices, White Knight Maintenance Notices and Farmer Exempt Holding Tank Maintenance Notices were mailed on Monday, April 24th with a due date of Friday, August 11th. There were 2,413 mailed between the four notices.
 - ii. On September 18th, 387 2nd notices were mailed to those owners who did not meet the August 11th deadline.
 - iii. On November 14th, Wood Co Corp Counsel letters are tentatively scheduled to be mailed to those owners for failure to provide servicing documentation. As of 10/25/17, there are 92 property owners who haven't serviced for 2017.
- d. 2017 Program Fee Notices – The approximately 4,547 program fee notices are tentatively scheduled to be mailed Friday, November 3rd with a due date of Wednesday, December 6th. A new exciting feature this year is that the \$20 program fee can be paid online with an electronic check, debit card or credit card. There will be a convenience fee if making payment this way. Cash or check is available for those property owners who want to avoid paying the convenience fee.
- e. Sanitary Permit Document Imaging Project Status – Sanitary permits for the years 1982 – 2016 are available for viewing on the Wood County's website www.co.wood.wi.us/Departments/PZ. 2017 Sanitary Permits will be prepped and scanned in fall 2018.
- f. Survey Document Imaging Project Status – Survey documents are being prepped and scanned tentatively scheduled for completion by the end of 2017.
- g. Enforcement Activities Update.
 - i. Small Claims Nothing scheduled.
 - ii. Contempt Hearing Nothing scheduled.
- h. Wisconsin Fund Grant Program – The Joint Finance Committee on Thursday, May 11th on a 12-4 vote adopted ongoing funding for the Wisconsin Fund Grant Program through June 30, 2021. Please encourage those who may qualify to complete and submit applications for funding.
 - i. (4) Wisconsin Fund Applications FY2018
 - ii. (3) Wisconsin Fund Applications FY2019

LA

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Effective: January 27, 2000

801.01 Introduction

- A. Authority – This ordinance is adopted under authority granted by §§ 59.54(6), 59.69(1), 92.15, 92.16, and 281.16 Wisconsin Statutes and Wisconsin Administrative Code provisions ATCP 50.56 and NR 151.07 and 151.096.
- B. Title – This ordinance shall be known as, referred to, and may be cited as the “Wood County Animal Waste Storage, Nutrient Management and Groundwater Protection Ordinance” and is hereinafter known as the Ordinance.
- C. Findings and Declaration of Policy –
1. The Wood County Board of Supervisors finds that storage of animal waste and manure in storage facilities not meeting technical design and construction standards may cause pollution of the surface and groundwater of Wood County, and may have the potential to result in harm to County residents and transients; to livestock, aquatic life and other animals and plants; and to the property tax base of Wood County.
 2. The Wood County Board of Supervisors finds that improper management of animal waste and manure storage facilities and utilization, including land application of stored animal waste, may cause pollution of the ground and surface waters of Wood County.
 3. The Wood County Board of Supervisors finds that the technical standards developed by the United States Department of Agriculture (USDA) Natural Resources Conservation Service and adopted by the Wood County Conservation, Education & Economic Development Committee provide effective, practical, and environmentally safe methods of storing and utilizing animal waste and manure.
- D. Purpose – The purpose of this ordinance is to regulate the location, design, construction, installation, alteration, closure, and use of animal waste and manure storage facilities and the application of waste and manure from all storage facilities covered by this ordinance; in order to prevent water pollution and thereby protect the health of Wood County residents and transients; prevent the spread of disease; to further the appropriate use and conservation of land and water resources for its communities; promote the prosperity, aesthetics, safety and general welfare of the citizens of Wood County. It is also intended to provide for the administration and enforcement of this ordinance and to provide penalties for its violation.

- E. Applicability – This ordinance applies to all areas of Wood County.
- F. Interpretation – In their interpretation, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Wood County, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.
- G. Severability Clause – If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be rendered ineffective.
- H. Effective Date – This ordinance shall be effective upon review by the Department of Agriculture, Trade and Consumer Protection (DATCP), its adoption by the Wood County Board of Supervisors, and publication.

801.02 Definitions

- A. Agricultural Engineering Practitioner. Any person who has been certified by DATCP or NRCS to design, review, provide construction supervision, and certify construction for various soil and water conservation practices to be constructed under the terms of this ordinance.
- B. Agricultural Waste Management Field Handbook (AWMFH). A manual that provides specific guidance for planning, designing, and managing systems where agricultural wastes are involved as published by the USDA Natural Resources Conservation Service.
- C. Animal Waste and Manure. Livestock excreta, including livestock bedding, water, soil, hair, feathers, and other debris that becomes intermingled with livestock excreta in normal manure handling operations.
- D. Applicant. Any person who applies for a permit under this ordinance.
- E. CAFO. Wisconsin animal feeding operation with 1,000 animal units or more is a large Concentrated Animal Feeding Operation (CAFO). The DNR may designate a smaller-scale animal feeding operation (fewer than 1,000 animal units) as a CAFO if it has pollutant discharges to navigable waters or contaminates a well. These WPDES permits are governed by NR243 Wisconsin Administrative Code.
- F. Closed Storage Facility. A waste and manure storage facility for which:
 - 1) The Conservation, Education & Economic Development Committee (CEED) does not grant an extension of the "Idle Storage Facility" declaration, or
 - 2) The livestock operation on the property ceases to exist and the owner applies for a closure permit.
- G. Conservation, Education & Economic Development Committee (CEED). A committee made up of members of the Wood County Board of Supervisors and others who, by authority from Chap. 92, Wisconsin Statutes, determine policy and give direction for soil and water conservation activities. The CEED also provides direction for the LCDLWCD. The CEED shall be the decision making board for purposes of this ordinance.
- H. County Conservationist. The director of the Land Conservation~~Land & Water Conservation~~ Department.

- I. Department of Agriculture, Trade and Consumer Protection (DATCP).
- J. Engineering Field Handbook (EFH). A manual of engineering technical data published by the USDA Natural Resources Conservation Service.
- K. Existing Storage Facility. A storage facility which has been installed and placed in use at a livestock operation in Wood County prior to the adoption of this ordinance on January 27, 2000.
- L. Feedlot. A lot or building, or combination of contiguous lots and buildings, intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which animal waste may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of these parts, open lots used for feeding and rearing of poultry (poultry ranges) and barns, dairy facilities, swine facilities, beef lots and barns, horse stalls, mink ranches and domesticated animal zoos shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these parts.
- M. Field Office Technical Guide (FOTG) Section IV. The document provided by the USDA Natural Resources Conservation Service which contains technical data, including the standards referenced within this ordinance, to properly and safely locate, construct, install, alter, design, operate, maintain and close a storage facility and or the associated waste transfer system.
- N. Idle Storage Facility. A waste and manure storage facility which:
 - 1. The livestock operation on the property ceases to exist, or
 - 2. Is no longer being used for its intended purpose and no longer having any additional animal waste and manure placed into it, or
 - 3. Has not had any animal waste and manure placed into it for a period of one year, or
 - 4. Will, by all the evidence available, not again be used to store animal waste and manure by an active livestock operation.
- O. ~~Land Conservation~~Land & Water Conservation Department (LCDLWCD). The department of Wood County government, which is responsible for enforcing, and providing technical and administrative support for this ordinance and soil and water conservation activities in Wood County.

- P. Malfunctioning Storage Facility. An animal waste and manure storage facility which is no longer functioning as originally intended, as defined by the FOTG, AWMFH, or the EFH, and poses a potential threat to any person, the groundwater, any stream, lake or river, or any other component of the environment. A malfunctioning storage facility includes, but is not limited to the following:
1. A storage facility in which the sidewall(s) or sideslope(s) have been damaged or eroded, which may weaken the structure of the storage facility.
 2. A storage facility in which there has been damage, erosion, or deformities that may contribute to environmental or safety hazards.
 3. A storage facility in which the waste and manure is significantly leaking.
 4. A storage facility in which any other serious deformity or activity that is not consistent with the design and function of a storage facility as determined by the FOTG, AWMFH, or the EFH.
- Q. Mismanaged Storage Facility. An animal waste and manure storage facility which is not functioning properly due to the neglect or carelessness of the owner or operator, and poses a potential threat to any person or the environment. A mismanaged storage facility includes, but is not limited to the following:
1. A storage facility that is overflowing or is being operated improperly and is inconsistent with the recommended operating methods as defined by the FOTG, AWMFH or the EFH.
 2. A storage facility in which the safety devices are absent or are nonfunctional.
 3. A storage facility that fails to comply with the operation's and maintenance plan.
- R. Natural Resources Conservation Service (NRCS). An agency of the United States Department of Agriculture which, for purposes of this ordinance, provides the Wood County CEED, LCGLWCD, and private landowners with technical assistance and information on the design criteria, size, shape, engineering strength and other necessary technical data for the proper and safe installation or closure of a storage facility.
- S. NRCS Engineering Job Approval. A complex process of review and certification by qualified NRCS or DATCP engineers to determine the capability and technical competence of subordinate personnel to design,

review, provide construction supervision, and certify construction for various soil and water conservation practices to be constructed under the terms of this ordinance and which may be modified from time to time based upon work experience, educational training, employment status, and competence of those subordinates (see USDA-NRCS National Engineering Manual Title 210, Part 500).

- T. Nutrient Management Plan. A plan developed according to most current NRCS Technical Standard 590 that is updated annually outlining the requirements for managing the amount, form, placement, and timing of applications of all sources of nutrients to cropland and pastures. The nutrient management plan also ensures that suitable acreage is available for land application and crop and pasture uptake of manure nutrients.
- U. Pasture. Land on which livestock graze or otherwise seek feed in a manner that maintains the vegetative cover over the grazing area. Pasture may include limited areas of bare soil such as cattle lanes and supplemental feeding areas provided the bare soil areas are not significant sources of pollution to waters of the state.
- V. Permit. The signed, written statement, issued by the County Conservationist under this ordinance authorizing the applicant to construct, install, reconstruct, extend, enlarge, close, substantially alter an animal waste storage facility, or its waste transfer system and to use or dispose of waste from the facility.
- W. Permittee. Any person to whom a permit is issued under this ordinance.
- X. Person. Any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, County or State agency within Wisconsin, the federal government or any combination thereof.
- Y. Routine Maintenance. A non-structural replacement or alteration of a portion of an animal waste storage system which does not change the design or operation of the system.
- Z. Safety Devices, Storage Facility. Devices which are designed to protect people and animals from the hazards associated with a waste storage facility. Safety devices shall be designed and installed as required by NRCS Technical Standard 313. At a minimum, safety devices shall include:
 - 1. Fences, gates, grates, or covers to restrict access of animals or people, and signs where access is possible.
 - 2. Ventilation for covered waste-holding structures to prevent the inhalation of poisonous gases, asphyxiation, or explosion.

3. Safety stops, gates, or both installed at push-off ramps and load-out areas of vertical walled structures to prevent accidental entry of machinery.
 4. Ramp slopes designed to be consistent with the equipment intended to be used, with curbs or safety bars installed on access ramps.
 5. Other like devices deemed necessary by an agricultural or civil engineer registered in the State of Wisconsin, or DATCP or NRCS or LCDLWCD agricultural engineering practitioner, the FOTG, AWMFH or EFH.
- AA. Storage Facility. A waste impoundment made by constructing an embankment and/or excavating a pit or dugout, or by fabricating a structure specifically designed for the purpose of storage or holding of animal waste and manure. This includes any storage facility previously designed and installed meeting the NRCS Technical guidelines current at the time of installation, any commercial-prefabricated storage facility, concrete slabs, earthen dugouts, dikes, or any other waste impoundment intended for the storage of animal manure. For the purposes of this ordinance, a storage area intended to hold an accumulation of manure within an area excavated, or diked for the purpose of storing the manure, no matter how small that accumulation may be or how long the manure is to be stored there, shall be considered a storage facility.
- For the purpose of this ordinance, a feedlot or enclosure used for holding livestock is not considered a manure storage facility, except where there is a storage facility constructed below the livestock enclosure.
- For the purpose of this ordinance, an unconfined animal manure stacking area where the soil surface has not been disturbed prior to the stacking operation is not considered an animal manure storage facility. Routine soil surface maintenance of the stacking area is allowed.
- BB. Stop Work Order. An order to cease any activity in the operation of, or construction of an activity subject to regulation.
- CC. Substantial Alteration. Any modification to a storage facility that alters the integrity, capacity, or design requirements of the facility.
- DD. Technical Standard 313. The current practice standard within the FOTG. This standard covers the proper location, design, construction, installation, alteration, operation, maintenance, and closure of a manure storage facility.

- EE. Technical Standard 360. The current practice standard within the FOTG. This standard covers the closure of waste impoundments (treatment lagoons and liquid storage facilities), that are no longer used for their intended purpose, in an environmentally safe manner.
- FF. Technical Standard 590. The current practice standard within the FOTG. This standard covers managing the amount, form, placement and timing of plant nutrients and establishes the minimum acceptable requirements for the application of plant nutrients associated with organic wastes (manure and organic by-products), commercial fertilizer, legume crops and crop residues.
- GG. Technical Standard 629. The current practice standard within the FOTG. This standard covers where the form and characteristics of agricultural waste make it difficult to manage so as to prevent it from becoming a nuisance or hazard or where changing the form or composition provides additional utilization alternatives, and where conventional waste management alternatives are deemed ineffective. This practice applies to:
- The treatment of milking *center wastewater* from milking *centers* producing up to 500 gallons of wastewater per day.
 - Leachate and contaminated runoff generated by livestock feed and *waste feed* storage areas.
 - Liquids and solids that need to be separated for further processing or for effective transport and subsequent utilization.
 - Raw agricultural waste containing excess nutrient concentration too high for direct land application based on crop utilization requirements or nutrient ratios need to be modified to be more consistent with crop utilization requirements.
 - Reducing the potential for leaching or runoff of nutrients and providing an appropriate location for discharge.
 - The reduction of odors and/or gaseous emissions from livestock production facilities and waste storage/treatment system components.
 - The production of value-added byproducts which can be produced to offset treatment costs.
 - The reduction of pathogens.

- HH. Technical Standard 634. The current practice standard within the FOTG. This standard covers design, material types and quality, and installation of components such as conduits, pumps, valves, and other structures or devices to transfer animal waste from buildings and yards to a storage and/or loading area for final disposal and establishes the minimum acceptable requirements for design, construction, and operation of waste transfer system components. It includes mechanical pumping or elevation differential (gravity head) systems.
- II. Waste Transfer System. A mechanism designed to transfer the animal waste and manure from a barn or feedlot where livestock are kept to the storage facility and/or the loading location. The transfer system generally consists of, but is not limited to, a pump or gravity flow collection basin and a pipe leading to the storage facility and/or a pump or gravity flow system used to empty the storage facility.
- JJ. Water Pollution. Contaminating or rendering unclean or impure the ground or surface waters of the State, or making the same injurious to public health, harmful for commercial or recreational use or deleterious to fish, bird, animal or plant life.
- KK. Working Day. A calendar day, except Saturdays, Sundays and State and Federal recognized legal holidays, on which weather and other conditions not under the control of the contractor or Wood County, will permit construction operation to proceed with the normal work force.

801.03 Activities Subject to Regulation

- A. General Requirement. Any person who removes, closes, locates, constructs, installs, moves, reconstructs, extends, enlarges, converts, or substantially alters or changes use of an animal waste storage facility or parts thereof, or who employs another person to do the same, on land subject to this ordinance, shall be subject to the provisions of this ordinance.
- B. Malfunctioning and Mismanaged Storage Facility. Malfunctioning or mismanaged storage facilities are a menace to the health and general welfare of the citizens of Wood County; are declared to be nuisances, and shall be subject to forfeiture and injunctive provisions of this ordinance. A storage facility found to be malfunctioning shall be repaired to a condition meeting the current Technical Standards of Wood County LCDLWCD within a time frame established by the CEED, not to exceed two (2) years of the date that the storage facility is found to be malfunctioning. A storage facility found to be mismanaged shall be brought into compliance with the ordinance within a time frame as determined by the LCDLWCD depending

on the potential severity of the problem. The time frame will not exceed one (1) year and compliance may include clean up of the waste as determined by the LCDFLWCD. The decision of the LCDFLWCD may be appealed to the CEED.

- C. Idle Storage Facilities. Removal of waste and manure and restoration of an idle manure storage facility to a safe and sanitary condition, as determined by the LCDFLWCD, is required within one (1) year of the time the storage facility becomes idle. The CEED may extend the Idle Storage Facility declaration for good cause, such extension not to exceed one (1) year increments. After a storage facility has been idle for two years an inspection and report has to be made on it by an agricultural or civil engineer registered in the State of Wisconsin, or DATCP or NRCS or LCDFLWCD agricultural engineering practitioner, reviewed and approved by the CEED, and all deficiencies corrected to current standards, before the storage facility can be put back into use.
- D. Existing Animal Waste Storage Facilities. Any changes to an existing animal waste storage facility such as closing, moving, reconstructing, extending, enlarging, converting, or substantially altering the use of the facility must meet the current requirements of Standard 313, 360, 629 and 634 of the FOTG or be brought up to those requirements.
- E. Safety Devices. Certain safety devices, as defined in section 801-02(Z) are required on all storage facilities in Wood County.
- F. Compliance with Permit Requirements. A person is in compliance with this ordinance if he or she follows the procedures and other requirements of this ordinance, receives a permit from the LCDFLWCD before beginning activities subject to regulation under this section, complies with the requirements of the permit and receives a final construction inspection certification by the enforcing agency.
- G. Nutrient Management Plans. As specified in the current Technical Standard 590, the amount, form, timing, and placement of nutrient sources shall be done in accordance with an approved nutrient management plan that must be filed annually with the LCDFLWCD by March 15th. Nutrient Management Plan (590) provisions shall apply to all landowners with a permitted animal waste storage facility and/or waste transfer system under this ordinance regardless of the date of construction. The Nutrient Management Plan provisions also apply to all property of landowners who have received cost share funds for an Ag related practice (i.e. manure storage) or funded for nutrient management plan development and/or an official non-compliance offer of cost share funding has been made as required by ATCP 50.08. Nutrient sources which leave the property this is

land applied constitutes a violation of this ordinance and is subject to the penalties under section 801.07 Violations.

801.04 Standards

- A. Standards, Specifications and Policies. The standards of the Technical Guide are adopted and by reference made a part of this article as if fully set forth therein. Any future amendment, revision or modification of the standards incorporated herein are made a part of this article, unless otherwise acted upon by the Conservation, Education & Economic Development Committee.
- B. Standard for Animal Waste Storage Facilities. The following components of the USDA Natural Resources Conservation Service's FOTG will be used when a storage facility is to be designed, constructed, installed, moved, reconstructed, extended, enlarged, removed, closed, converted, or substantially altered: 313 - Waste Storage Facility; 360 - Closure of Waste Impoundments; 634 - Waste Transfer; 629 - Waste Treatment; and 590 - Nutrient Management.
- C. Standard for Animal Waste Management and Utilization. The standards for management of animal waste facilities and utilization of animal wastes are those in current standard 590 - Nutrient Management of the FOTG.

801.05 Application For and Issuance of Permits.

- A. Permit Required. No person may undertake an activity subject to this ordinance without obtaining a permit from the County Conservationist prior to beginning the proposed activity. If activity takes place without a permit, an "After the Fact Permit" will be required with all the original requirements in full force. Permits are required for any new storage facilities, existing storage facilities that are closed, substantially altered, malfunctioning or mismanaged and idle storage facilities that are put into use after two years. Requirements of this ordinance shall be in addition to any other rules or provisions regulating animal waste. In case of conflicts, the most stringent provisions shall apply. See also Addendum F.
- B. Exception to Permit Requirement. The following constitute exceptions to the requirement under paragraph A to obtain a permit.
 - 1. Pre-existing storage facility, except where substantially altered, malfunctioning or mismanaged.
 - 2. Routine maintenance on a storage facility.

3. Emergency equipment repairs on a storage facility.
 4. Emergency repairs such as repairing a broken pipe, or equipment, leaking dikes, or the removal of stoppages may be performed without an animal waste storage facility permit. If repairs will significantly alter the original design and construction of the facility, a report shall be made to the LCDLWCD within one (1) working day of the emergency for a determination by the LCDLWCD on whether a permit will be required for any additional alteration or repair to the facility. The LCDLWCD's determination shall be rendered within two (2) working days of the reporting. The LCDLWCD may consult with the CEED prior to making this determination.
- C. Fee. Any person who by this ordinance is required to obtain a permit, shall pay a fee for such permit to help defray the cost of administration, inspection, and processing of permits. The amount of the fee shall be established from time to time by the CEED. If an "After the Fact " permit is required by the LWCD, the fees will be doubled.
- D. Animal Waste Storage Facility Plan Required. Each application for a permit under this ordinance shall include an animal waste storage facility plan. The plan shall be in accordance with the current Technical Standard 313 and 634. The following is a partial list of plan components:
1. A management assessment is required. As part of this assessment an initial determination will be conducted to demonstrate that suitable land base is available for utilization of waste.
 2. The number and kinds of animals for which waste storage is provided, the duration for which storage is to be provided, or daily gallons and/or cubic feet of waste and manure produced.
 3. A plan view of the facility and its location in relation to waste transfer inlet, all buildings, roads, wells, lot lines, and other features within three hundred (300) feet of the proposed facility. The plan view shall be drawn to scale, with a scale no smaller than 1 inch = 100 feet.
 4. The structural details, including but not limited to dimensions, cross-sections, and concrete thickness, concrete joint design and placement, design loads, design computations, reinforcement schedules, thickness and placement of groundwater protection liners, and all material specifications.
 5. The soil test pit locations and soil descriptions to a depth of at least five feet below the planned bottom of the facility.

6. The elevation of seasonally high groundwater or bedrock if encountered in the soil profile and date of any such determination.
7. Provisions for adequate drainage and control of runoff to prevent pollution of surface water and groundwater. If a navigable body of water lies within 500' of the facility, the location and distance to the body of water shall be shown. Any flood plains and/or wetlands shall be located also.
8. The scale of the drawing and a north arrow.
9. A time schedule for construction of the facility.
10. A description and construction plan of the method *to be used* in transferring animal waste into and from the facility.
11. A current 590 Nutrient Management Plan: ~~which specifies the plan shall specify~~ the utilization of the animal waste, including the amount of land available for application of waste, identification of the areas where the waste will be used, crops, crop rotation, pastures, application rates, soil types and any limitation on waste application due to soil limitations, type and proximity of bedrock or water table, slope of land, and proximity of surface water.

A plan agreement (Addendum B) shall be completed by the landowner. The agreement states that the plan shall be submitted to the LCPLWCD no later than March 15th of the year following installation of the animal waste storage facility and that the plan shall be updated annually for the life of the waste storage or as long as the cropland and/or pasture are receiving sources of nutrients. ~~See also Addendum B.~~
12. Any other additional information required by Technical Standard 313 to determine compliance with this ordinance.

E. Closure Plan Required. Each application for a closure permit under this section shall include a closure plan. The plan shall be in accordance with the current Technical Standard 360, Closure of Waste Impoundments, and specify:

1. A description of the type and size of the manure storage facility and an estimate of the amount of manure in the facility.

2. A description of how and where the manure and soil saturated with manure will be land applied in accordance with the current Technical Standard 590.
3. A description of how the liner, if any, will be disposed of.
4. A description of how the waste transfer system will be removed or permanently plugged.
5. A description of how the excavated area will be filled in and where the clean fill will come from.
6. A plan view showing the final grade, the area to be reseeded, and how rain and runoff will be diverted away from the site.
7. Other additional information required by Technical Standard 360 to comply with this ordinance.

F. Review of Application. The LCDLWCD shall receive and review all permit applications and shall determine if the proposed facility meets required standards set forth in section 801.04 of this ordinance. Within 30 working days for non CAFO facilities and 60 working days for CAFO facilities after receiving the completed application and fee, the LCDLWCD shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the LCDLWCD shall notify the permit applicant. The LCDLWCD has 30 working days for non CAFO facilities and 60 working days for CAFO facilities from the receipt of the additional information in which to approve or disapprove the application. If the LCDLWCD fails to approve or disapprove the permit application in writing within 60 working days of the receipt of the permit application or additional information, as appropriate, the application shall be deemed approved and the applicant may proceed as if a permit had been issued.

G. Permit Conditions. All permits issued under this ordinance shall be issued subject to the following conditions and requirements. Activities authorized by permit shall be completed within two (2) years from the date of issuance after which such permit shall be void.

1. Animal waste storage facility and its waste transfer system design, construction, management and utilization activities shall be carried out in accordance with the animal waste facility plan and applicable standards specified in Section 801.04 of this ordinance. The plan shall be certified as meeting the requirements of this ordinance by an agricultural or civil engineer registered in the State of Wisconsin, or DATCP or NRCS or LCDLWCD agricultural engineering practitioner.

2. Animal waste storage facility removal or closure shall be carried out in accordance with the animal waste storage facility closure plan and applicable standards specified in Section 801.04 of this ordinance. The plan shall be certified as meeting the requirements of this ordinance by an agricultural or civil engineer registered in the State of Wisconsin, or DATCP or NRCS or LCDDLWCD agricultural engineering practitioner.
 3. The permittee shall give five (5) working days written notice to the LCDDLWCD before starting any construction activity authorized by the permit.
 4. Approval in writing must be obtained from the LCDDLWCD prior to any changes or modifications to the approved animal waste facility plan.
 5. Prior to use, an agricultural or civil engineer registered in the State of Wisconsin, or DATCP or NRCS or LCDDLWCD agricultural engineering practitioner and the permittee and if applicable, the contractor, shall certify in writing on forms provided by the LCDDLWCD that the storage facility was installed as planned, including as-built dimensions and changes or modifications as authorized per 801.05(G)(4) made during construction.
 6. The LCDDLWCD and/or NRCS shall provide on site inspection. Final approval signature for all projects under this ordinance shall be provided by the LCDDLWCD.
- H. Permit Revocation. The County Conservationist or that person's representative may revoke any permit issued under this ordinance if the holder of the permit has misrepresented any material fact in the permit application, animal waste facility plan or nutrient management plan, or if the holder of the permit violates any of the conditions of the permit.
- I. Review by Conservation, Education & Economic Development Committee. Any person aggrieved by any action of the County Conservationist or that person's representative, in denying, approving, or revoking a permit under this ordinance may seek review of that action by the CEED by submitting a written request for such review to the LCDDLWCD. If the CEED takes no action within 15 working days after a request for review has been submitted, the request for review shall be deemed denied. Any decision by the CEED with respect to a request for review is subject to further appeal as set forth in Section 801.08.

801.06 Administration

- A. Delegation of Authority. Wood County hereby designates the County Conservationist, or that person's representative to administer and enforce this ordinance.
- B. Administrative Duties. In the administration and enforcement of this ordinance, the County Conservationist or that person's representative shall:
1. Keep an accurate record of all permit applications, animal waste facility plans, nutrient management plans, permits issued, inspections made, and other official actions.
 2. Review permit applications and issue permits in accordance with Section (801.05) of this ordinance.
 3. Inspect animal waste facility construction to insure the facility is being constructed according to plan specifications.
 4. Investigate complaints relating to compliance with the ordinance.
 5. Perform other duties as specified in this ordinance.
 6. The County Conservationist or their representative shall work with the Health Department in taking water samples from wells as needed to verify there is not a significant discharge of process wastewater to groundwater or other waters of the state.
- C. Inspection Authority. Pursuant to authority granted by Section 92.07(14) Wisconsin Statutes, the County Conservationist, or that person's representative is authorized to enter upon any lands affected by this ordinance to inspect the land to verify compliance with a nutrient management plan as well as prior to or after permit issuance to determine compliance with this ordinance. If permission cannot be received from the applicant or permittee, entry by the County Conservationist or that person's representative, shall be according to § 66.0119 Wisconsin Statutes. Refusal to grant permission to enter lands affected by this ordinance for purposes of inspection shall be grounds for permit denial or revocation.
- D. Enforcement Authority.
1. The County Conservationist, or that person's representative is authorized to post an order stopping work upon land which has had a permit revoked or is currently undergoing activity in violation of this ordinance. Notice shall be given by both: posting, upon the land where the violation occurs, one or more copies of a poster stating the violation; and, by mailing a copy of the order by certified mail to the person whose activity is in violation of this ordinance. The order

shall specify that the activity shall cease or be brought into compliance within a specified time period.

2. Any permit revocation or order stopping work shall remain in effect unless retracted by the CEED, the County Conservationist or that person's representative, by a court of general jurisdiction; or until the activity is brought into compliance with this ordinance. The County Conservationist is authorized to refer any violation of this ordinance or of an order stopping work issued pursuant to this ordinance to the Corporation Counsel or District Attorney for commencement of further legal proceedings.

801.07 Violations

A. Penalties. Any person, who violates, neglects or refuses to comply with, or resists the enforcement of any of the provisions of this ordinance, shall be subject to a forfeiture up to \$500.00 - ~~\$1,000.00~~ plus cost of prosecution for each violation. ~~The forfeiture will be based on the nature and severity of the offense.~~ An unlawful violation includes failure to comply with any standard of this ordinance or with any condition or qualification attached to the permit or a nutrient management plan. Each day that a violation exists shall be a separate offense. Upon receipt of a verified report and request from the ~~LCDDLWCD~~, the Sheriff shall issue a citation to a violator pursuant to law for violations of this ordinance.

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1" + Indent at: 1"

A.B. Enforcement of Injunction. As a substitute for, or in addition to, forfeiture actions, the County may seek enforcement of any part of this section by court actions seeking injunctions or restraining orders.

801.08 Appeals

A. Authority. Under authority of Chapter 68, Wisconsin Statutes, the CEED shall develop and maintain an appeal process for those persons alleging there is an error in any order, requirement, decision, or determination by the ~~LCDDLWCD~~ in administering this ordinance.

Note: Along with the ordinance recodification, changes were made to the language and/or definitions in this ordinance. USDA NRCS Technical Standard 360 – Closure of Storage Facilities was also included in this ordinance.

Note: July 2014 changes were made to be consistent with Wisconsin Administrative Code ATPC 50 and with Chapter NR151 Wisconsin Statutes. ~~Land Conservation~~Land & Water Conservation Committee was changed to Conservation, Education and Economic Committee.

Note: December 2014 changes were made to be consistent with Administration Code ATPC 50 and with NR151 Wisconsin Statutes. Changes were made to the language and/or definitions in this ordinance. USDA NRCS Technical

Standard 629 – Waste Treatment was also included in this ordinance. Section 801.05(F) Review of Application changed to reflect longer period of time to review permit application.

Note: August 2015 changes were made to this Ordinance, formerly known as the Animal Waste and Manure Management Ordinance and now retitled: Animal Waste Storage, Nutrient Management and Groundwater Protection Ordinance.

This Ordinance was changed to reflect additional legal authority it is based upon, to allow the County's ~~Land Conservation~~Land & Water Conservation Department to promote and enforce nutrient management plans (NMPs). These NMPs are prepared for farmers to more efficiently utilize the application of manure and commercial fertilizers thereby protecting the environment in general and groundwater in particular from contamination. Changes were made to this ordinance to the 801.01 Introduction (A). Authority - adding 59.16 (1), 92.15, and 281.16 Wisconsin Statutes and Wisconsin Administrative Code provisions NR 151.07 and 151.096. Section 801.06 Administration (B.6.) a statement about testing wells as needed for the verification of discharge to ground or surface waters of the state. Sub (C.) Inspection Authority – added language to authorize the inspection of land to verify compliance with a nutrient plan. Section 801.07 Violations (Penalties) – added nutrient management plan to the enforcement section to read that a failure to comply will be considered a violation.

Note: (Enter date changes were approved) Update to Ordinance include changing
Land Conservation to Land & Water Conservation.

LCD to LWCD

Updating the Department's address from 400 Market Street to River Block, 111 West Jackson Street.

Adding WPDES permits are governed by NR243 under Definitions- E- CAFO

Adding "most current" to Definitions = T- Nutrient Management Plan

Adding more specific wording to 801.03 Activities Subject to Regulation – G – Nutrient Management Plans.

Adding "After the Fact Permit information" to 801-05 Application for and Issuance of Permits – A – Permit Required

Adding "After the Fact Permit" fees will be double to 801.05 Application for Issuance of Permits – C – Fee.

Adding "current" to 801.05 Application for Issuance of Permits – 11

Changing forfeiture to 801.07 Violations - Penalties

Wood County Land & Water Conservation Department
 Animal Waste Storage Facility Ordinance
 River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495
 Phone: 715-421-8475; Fax: 715-421-8579



Application for a Permit to Construct an Animal Waste Storage Facility

APPLICANT MAILING ADDRESSES		PROPERTY DESCRIPTION		
Applicant Name		Tax Parcel Number		
Street Address		Town	1/4	1/4
City, State, Zip Code		T	N	R E Section
Phone Number () Fax ()		Type of Construction :		
WOOD COUNTY FEE SCHEDULE		LCD USE ONLY		
50,000 gallons or less	\$150	Permit Issued:	Const. certification received:	
50,001 to 150,000 gallons	\$300	Permit denied:	Reason for denial:	
150,001 to 250,000 gallons	\$350	Permit Number:	Permit Fee:	
250,001 to 500,000 gallons	\$400	NOTES		
500,001 to 1,000,000 gallons	\$450			
1,000,001 to 5,000,000 gallons	\$600			
5,000,001 to 10,000,000 gallons	\$800			
10,000,001 gallons or greater	\$1,250			
Stand Alone Transfer System	\$200			
Closure Permit Fee	\$200			
After the Fact Permit	Double Regular Fee			
APPROVAL				
On site assistance provided? Yes <input type="checkbox"/> No <input type="checkbox"/>		By:		Date:
Attached plans reviewed by:				
Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>		Name:		Title: Date:
PLAN CHECKLIST				
Does attached plan include:				
1. Number and kinds of animals for which storage is provided?				Yes <input type="checkbox"/> No <input type="checkbox"/>
2. The duration for which storage is provided, or daily gallons of water and manure produced?				Yes <input type="checkbox"/> No <input type="checkbox"/>
3. A plan view of the facility and its location in relation to buildings within 1000 feet and homes within 500 feet?				Yes <input type="checkbox"/> No <input type="checkbox"/>
4. Scale of drawing and north arrow?				Yes <input type="checkbox"/> No <input type="checkbox"/>
5. Structural details (dimensions, cross-sections, material specifications)?				Yes <input type="checkbox"/> No <input type="checkbox"/>
6. Location of any wells within 300 feet of the facility?				Yes <input type="checkbox"/> No <input type="checkbox"/>
7. Soil test, pit locations, and soil layer descriptions?				Yes <input type="checkbox"/> No <input type="checkbox"/>
8. Elevation of high groundwater or bedrock, and date determined?				Yes <input type="checkbox"/> No <input type="checkbox"/>
9. Location and distance of facility to navigable body of water (if within 1000 feet) and provisions for adequate drainage and control of runoff?				Yes <input type="checkbox"/> No <input type="checkbox"/>
10. Time schedule for construction of the facility?				Yes <input type="checkbox"/> No <input type="checkbox"/>
11. Description and construction plan of method of transfer into and from the facility?				Yes <input type="checkbox"/> No <input type="checkbox"/>
12. A 590 Nutrient Management Plan?				Yes <input type="checkbox"/> No <input type="checkbox"/>
PROPERTY OWNER'S STATEMENT				
<p>The undersigned hereby makes application for a permit to construct an animal waste facility on the property herein described. The work to be performed is described in the attached plan. The undersigned agrees that all such work shall comply with all applicable animal waste facility standards as set in the Wood County Animal Waste, Nutrient Management, and Groundwater Protection Ordinance, other applicable County Ordinances and the laws and regulations of the State of Wisconsin.</p> <p>The undersigned also agrees to certify in writing, upon installation of the facility, that the facility was installed as planned. Deviations from the original plan must be reviewed by the County Conservationist prior to installation.</p>				
Applicant Signature (landowner) _____ Date _____				

Wood County Land & Water Conservation Department
 Animal Waste Storage Facility Ordinance
 River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495
 Phone: 715-421-8475; Fax: 715-421-8579



Wood County Addendum A (AFTER THE FACT)

Application for a Permit to Construct an Animal Waste Storage Facility

APPLICANT MAILING ADDRESSES		PROPERTY DESCRIPTION		
Applicant Name		Tax Parcel Number		
Street Address		Town	1/4	1/4
City, State, Zip Code		T	N	R E Section
Phone Number () Fax ()		Type of Construction :		
WOOD COUNTY FEE SCHEDULE		LCD USE ONLY		
50,000 gallons or less	\$150	Permit Issued:	Const. certification received:	
50,001 to 150,000 gallons	\$300	Permit denied:	Reason for denial:	
150,001 to 250,000 gallons	\$350	Permit Number:	Permit Fee:	
250,001 to 500,000 gallons	\$400	NOTES		
500,001 to 1,000,000 gallons	\$450			
1,000,001 to 5,000,000 gallons	\$600			
5,000,001 to 10,000,000 gallons	\$800			
10,000,001 gallons or greater	\$1,250			
Stand Alone Transfer System	\$200			
Closure Permit Fee	\$200			
After the Fact Permit	Double Regular Fee			
APPROVAL				
On site assistance provided? Yes <input type="checkbox"/> No <input type="checkbox"/>		By:		Date:
Attached plans reviewed by:				
Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>		Name:		Title: Date:
PLAN CHECKLIST				
Does attached plan include:				
1. Number and kinds of animals for which storage is provided?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
2. The duration for which storage is provided, or daily gallons of water and manure produced?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
3. A plan view of the facility and its location in relation to buildings within 1000 feet and homes within 500 feet?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
4. Scale of drawing and north arrow?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
5. Structural details (dimensions, cross-sections, material specifications)?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
6. Location of any wells within 300 feet of the facility?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
7. Soil test, pit locations, and soil layer descriptions?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
8. Elevation of high groundwater or bedrock, and date determined?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
9. Location and distance of facility to navigable body of water (if within 1000 feet) and provisions for adequate drainage and control of runoff?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
10. Time schedule for construction of the facility?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
11. Description and construction plan of method of transfer into and from the facility?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
12. A 590 Nutrient Management Plan?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
PROPERTY OWNER'S STATEMENT				
<p>The undersigned hereby makes application for a permit to construct an animal waste facility on the property herein described. The work to be performed is described in the attached plan. The undersigned agrees that all such work shall comply with all applicable animal waste facility standards as set in the Wood County Animal Waste, Nutrient Management, and Groundwater Protection Ordinance, other applicable County Ordinances and the laws and regulations of the State of Wisconsin.</p> <p>The undersigned also agrees to certify in writing, upon installation of the facility, that the facility was installed as planned. Deviations from the original plan must be reviewed by the County Conservationist prior to installation.</p>				
Applicant Signature (landowner)		Date		

Wood County Land & Water Conservation Department
Animal Waste Storage Facility Ordinance
River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495
Phone: 715-421-8475; Fax: 715-421-8579



Wood County Addendum B Nutrient Management Requirement

I _____ have obtained the services of
(Landowner)

_____ from _____
(Certified Crop Advisor) (Business Association)

to prepare a Nutrient Management Plan to fulfill the requirement of the Wood County
Animal Waste, Nutrient Management and Groundwater Protection Ordinance.

The Nutrient Management Plan will meet the Natural Resources Conservation Service Technical Standard 590. The plan shall be submitted to the Wood County Land & Water Conservation Department no later than March 15th of the year following installation of a waste storage facility. This plan will be completed by _____
(mm/dd/yy)

The Nutrient Management Plan will be updated annually for the life of the waste storage facility or as long as the cropland and/or pasture are receiving sources of nutrients. Any updated plans will be provided to the Wood County Land & Water Conservation Department upon request.

The recommendations of the Nutrient Management Plan will be followed as closely as possible.

LANDOWNER SIGNATURE

DATE

CERTIFIED CROP ADVISOR SIGNATURE

DATE

Wood County Land & Water Conservation Department
Animal Waste Storage Facility Ordinance
River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495
Phone: 715-421-8475; Fax: 715-421-8579



Wood County Addendum C CONSTRUCTION CERTIFICATION FORM

Permit No. _____ Permittee _____

The undersigned hereby certify that the animal waste storage facility authorized for construction under permit number _____ has been installed according to its approved plan specification.

(Engineer's signature**)

(Date)

(Engineering Practitioner's signature)

(Date)

(Permittee's signature)

(Date)

(Contractor's signature*)

(Date)

(LWCD signature)

(Date)

*The Contractor's signature is required only if the person installing the animal waste facility is someone other than the permittee.

** Engineer's signature is required only if an engineering practitioner with NRCS certified job approval to certify construction, is not available.

Wood County Land & Water Conservation Department
 Animal Waste Storage Facility Ordinance
 River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495
 Phone: 715-421-8475; Fax: 715-421-8579



Wood County Addendum D

Application for a Permit to Close an Animal Waste Storage Facility

APPLICANT MAILING ADDRESSES		PROPERTY DESCRIPTION		
Applicant Name		Tax Parcel Number		
Street Address		Town	1/4	1/4
City, State, Zip Code		T	N	R E Section
Phone Number () Fax ()		Type of Construction :		
WOOD COUNTY FEE SCHEDULE		LCD USE ONLY		
50,000 gallons or less	\$150	Permit Issued:	Const. certification received:	
50,001 to 150,000 gallons	\$300	Permit denied:	Reason for denial:	
150,001 to 250,000 gallons	\$350	Permit Number:	Permit Fee:	
250,001 to 500,000 gallons	\$400	NOTES		
500,001 to 1,000,000 gallons	\$450			
1,000,001 to 5,000,000 gallons	\$600			
5,000,001 to 10,000,000 gallons	\$800			
10,000,001 gallons or greater	\$1,250			
Stand Alone Transfer System	\$200			
Closure Permit Fee	\$200			
After the Fact Permit	Double Regular Fee			
APPROVAL				
On site assistance provided? Yes <input type="checkbox"/> No <input type="checkbox"/>		By:		Date:
Attached plans reviewed by:				
Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>		Name:		Title: Date:
PLAN CHECKLIST				
Does attached plan include:				
1) A description of the type and size of the manure storage facility and an estimate of the amount of manure in the facility?				Yes <input type="checkbox"/> No <input type="checkbox"/>
2) A description of how and where the manure and soil saturated with manure will be land applied in accordance with Technical Standard 590?				Yes <input type="checkbox"/> No <input type="checkbox"/>
3) A description of how the liner, if any, will be disposed of?				Yes <input type="checkbox"/> No <input type="checkbox"/>
4) A description of how the manure transfer system will be removed or permanently plugged?				Yes <input type="checkbox"/> No <input type="checkbox"/>
5) A description of how the excavated area will be filled in and where the clean fill will come from?				Yes <input type="checkbox"/> No <input type="checkbox"/>
6) A plan view showing the final grade, the area to be reseeded, and how rain and runoff will be diverted away from the site?				Yes <input type="checkbox"/> No <input type="checkbox"/>
7) Other additional information necessary to comply with this ordinance?				Yes <input type="checkbox"/> No <input type="checkbox"/>
PROPERTY OWNER'S STATEMENT				
<p>The undersigned hereby makes application for a permit to close an animal waste facility on the property herein described. The work to be performed is described in the attached plan. The undersigned agrees that all such work shall comply with all applicable animal waste facility standards as set in the Wood County Animal Waste , Nutrient Management & Groundwater Protection Ordinance, other applicable County Ordinances and the laws and regulations of the State of Wisconsin.</p> <p>The undersigned also agrees to certify in writing, upon closure of the facility, that the facility was closed as planned. Deviations from the original plan must be reviewed and approved by the County Conservationist prior to installation.</p> <p>Applicant Signature (landowner) _____ Date _____</p>				

Wood County Land Conservation Department
Animal Waste Storage Facility Ordinance
400 Market Street, Wisconsin Rapids, WI 54495-8095
Phone: 715-421-8475; Fax: 715-421-8579



Wood County Addendum E CLOSURE CERTIFICATION FORM

Permit No. _____ Permittee _____

The undersigned hereby certify that the animal waste storage facility authorized for construction under permit number _____ has been installed according to its approved plan specification.

(Engineer's signature**)

(Date)

(Engineering Practitioner's signature)

(Date)

(Permittee's signature)

(Date)

(Contractor's signature*)

(Date)

(LWCD signature)

(Date)

*The Contractor's signature is required only if the person installing the animal waste facility is someone other than the permittee.

** Engineer's signature is required only if an engineering practitioner with NRCS certified job approval to certify construction, is not available.

Wood County Land Conservation Department
 Animal Waste Storage Facility Ordinance
 River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495
 Phone: 715-421-8475; Fax: 715-421-8579



Wood County Addendum F PERMIT FLOW CHART

PERMIT FLOW CHART WOOD COUNTY ANIMAL WASTE ORDINANCE

			PERMIT	WHEN	FEE**	STANDARDS	ENFORCEMENT
C O U N T Y W I D E	S T O R A G E F A C I L I T Y	New	Yes	*Prior	Yes	Construction	Stop Work
		Preexisting	Yes	* Substantially altered Mismanaged Malfunctioning Idle (after 2 years) Closed	Yes	Construction	Stop Work
			No	Functional	No	Closure None	None

*Permit needed prior to construction or closure.

**Fees are based on size (gallons) of the Animal waste storage facility; after the fact permit is double the permit fee.

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802 NONMETALLIC MINING RECLAMATION

PART I – GENERAL

802.01 Title

Nonmetallic mining reclamation ordinance for the County of Wood.

802.02 Purpose

The purpose of this chapter is to establish a local program to ensure the effective reclamation of nonmetallic mining sites on which nonmetallic mining takes place in the County of Wood after the effective date of this chapter, in compliance with Chapter NR 135, Wisconsin Administrative Code and Subchapter I of Chapter 295, Wisconsin Statutes.

802.03 Statutory Authority

This chapter is adopted under authority of Section 295.13(1), Wisconsin Statutes, Section NR 135.32, Wisconsin Administrative Code, and Section 59.51, Wisconsin Statutes.

802.04 Restrictions Adopted Under Other Authority

The purpose of this chapter is to adopt and implement the uniform statewide standards for nonmetallic mining required by Section 295.12(1)(a), Stats. and contained in Chapter NR 135, Wisconsin Administrative Code. It is not intended that this chapter repeal, abrogate, annul, impair or interfere with any existing rules, regulation, ordinances or permits not concerning nonmetallic mining reclamation previously adopted pursuant to other Wisconsin law.

802.05 Interpretation

In their interpretation and application, the provisions of this chapter shall be held to be the applicable requirements for nonmetallic mining reclamation and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes outside the reclamation requirements for nonmetallic mining sites required by subchapter I of Chapter 295, Wisconsin Statutes and Chapter NR 135, Wisconsin Administrative Code. Where any terms or requirements of this chapter may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this chapter is required by Wisconsin Statutes, or by a standard in Chapter NR 135, Wisconsin Administrative Code, and where the provision is unclear, the provision shall be interpreted to be consistent with the Wisconsin Statutes and the provisions of Chapter NR 135, Wisconsin Administrative Code.

802.06 Severability

Should a court of competent jurisdiction declare any portion of this chapter unconstitutional or invalid, the remainder of this chapter shall not be affected.

802.07 Applicability

(1) Overall Applicability

The requirements of this chapter apply to all operators of nonmetallic mining sites within the County of Wood and as provided in Sections NR 135.02(1) and (2), Wisconsin Administrative Code except where exempted in sub. 802.07(2) and except for nonmetallic mining sites located in a city, village or town within Wood County that has adopted an ordinance pursuant to Section 295.14, Wisconsin Statutes, and Section NR 135.32(2), Wisconsin Administrative Code.

(2) Exemptions

This chapter does not apply to the exempt activities listed in Section NR 135.02(3), Wisconsin Administrative Code.

802.08 Administration

The provisions of this chapter shall be administered by the Wood County Land & Water Conservation Department.

802.09 Effective Date

This ordinance shall be effective upon adoption by the Wood County Board of Supervisors and publication.

802.10 Definitions

All definitions for the purposes of this chapter are those contained in Section NR 135.03, Wisconsin Administrative Code.

PART II - STANDARDS

802.11 Standards

All nonmetallic mining sites subject to this chapter shall be reclaimed in conformance with the standards contained in Subchapter II of Chapter NR 135, Wisconsin Administrative Code.

PART III - PERMITTING

802.12 Nonmetallic Mining Reclamation Permit Application Required. No person may engage in nonmetallic mining or in nonmetallic mining reclamation without possessing a nonmetallic mining reclamation permit issued pursuant to the applicable reclamation ordinance unless the activity is specifically exempted in subs 802.07(1), 802.07(2) or 802.10(b).

- (1) Required Submittal.** The operator of all nonmetallic mining sites shall apply for a reclamation permit from the County of Wood. All reclamation permit applications under this section shall be accompanied by the information required by Section NR 135.18(1), Wisconsin Administrative Code.

(2) Reclamation Permit Application Contents.

The operator of any nonmetallic mine site shall submit an application that meets the requirements of Sections NR 135.18(2), Wisconsin Administrative Code and the submittals required under sub. 802.12(1) to the Wood County Land & Water Conservation Department, River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495 prior to beginning operations.

802.13 Reclamation Plan

(1) Reclamation Plan Requirements

All operators of nonmetallic mining sites subject to this chapter shall prepare and submit a reclamation plan that meets the requirements of Section NR 135.19, Wisconsin Administrative Code.

(2) Existing Plans and Approvals

To avoid duplication of effort, the reclamation plan required by sub. 802.13(1) may, by reference, incorporate existing plans or materials that meet the requirements of this chapter.

(3) Approval of Reclamation Plan

The County of Wood shall approve, conditionally approve or deny the reclamation plan submitted under this section in writing as part of permit issuance pursuant to sub. 802.16(2). Conditional approvals of reclamation plans shall be made according to sub. 802.16(5), and denials of reclamation plans made according to s. 802.17. The operator shall keep a copy of the reclamation plan required by this section, once approved by the County of Wood under this chapter, at the mine site or, if not practicable, at the operator's nearest office or place of business.

802.14 Financial Assurance.

(1) Financial Assurance Requirements

All operators of nonmetallic mining sites in the County of Wood shall prepare and submit a proof of financial assurance of successful reclamation that meets the requirements of Section NR 135.40, Wisconsin Administrative Code.

(2) Private Nonmetallic Mines

The operator of any nonmetallic mining site that applies for a reclamation permit in conformance with sub. 802.12(23) shall submit the proof of financial assurance required by sub. 802.14(1) as specified in the reclamation permit issued to it under this chapter.

(3) Public Nonmetallic Mining

The financial assurance requirements of this section do not apply to nonmetallic mining conducted by the State of Wisconsin, a state agency, board, commission or department, or a municipality.

802.15 Public Notice and Right of Hearing

(1) Reclamation Plan Hearing

The County of Wood shall provide public notice and the opportunity for a public informational hearing as set forth in Sections NR 135.20(1) and (2), Wisconsin Administrative Code for any nonmetallic mining site for which a complete reclamation permit application that satisfies s. 802.12 is received.

(2) Local Transportation-Related Mines

No public notice or informational hearing is required for a nonmetallic mining reclamation permit issued to a local transportation-related mine pursuant to sub. 802.16(3).

802.16 Issuance of a Nonmetallic Mining Reclamation Permit.

(1) Permit Required

Every operator of a nonmetallic mining site in the County of Wood, who engages in or plans to engage in nonmetallic mining after September 1st, 2001 shall obtain a reclamation permit issued under this section, except nonmetallic mining sites exempt from this chapter as provided in sub. 802.07(2). No person may engage in nonmetallic mining or nonmetallic mining reclamation after September 1st, 2001 without a reclamation permit issued pursuant to this chapter. Failure to obtain a reclamation permit prior to beginning mining shall result in the doubling of the applicable permit fee.

(2) Permit Issuance

Applications for reclamation permits for nonmetallic mining sites that satisfy s. 802.12 shall be issued a reclamation permit or otherwise acted on as provided in Section NR 135.21(2), Wisconsin Administrative Code. The permit shall require compliance with a reclamation plan submitted by the applicant that conforms with sub. 802.13(1), and provision by the applicant of financial assurance that conforms with sub. 802.14 payable to Wood County prior to beginning mining.

(3) Automatic Permit for Local Transportation-Related Mines

The County of Wood shall issue an automatic permit under this subsection for any borrow site operated to provide material for a locally-administered transportation project that meets the criteria in Section NR 135.23(1)(a), Wisconsin Administrative Code. This automatic permit shall be issued according to the provisions of Sections NR 135.23(1)(b) through (j), Wisconsin Administrative Code.

(4) Expedited Review

Any operator of a nonmetallic mining site may obtain an expedited review of a reclamation permit application by paying the expedited review fee specified in

s. 802.26(2). The expedited review shall be carried out according to the provisions of Section NR 135.23(1), Wisconsin Administrative Code. Such expedited review shall not waive, shorten or otherwise affect the public notice and right of hearing pursuant to s. 802.15.

(5) Permit Conditions

Permits issued under this section may include conditions as provided in Section NR 135.21(2), Wisconsin Administrative Code. One required condition shall be that new mines shall obtain financial assurance prior to beginning mining pursuant to Section NR 135.40, Wisconsin Administrative Code.

802.17 Permit Denial

An application for a nonmetallic mining reclamation permit shall be denied if any of the factors specified in Section NR 135.22, Wisconsin Administrative Code exist.

802.18 Alternative Requirements

(1) Scope of Alternative Requirements Approvable

An operator of a nonmetallic mining site may request an alternative requirement to any reclamation standard established in s. 802.11. Such a request may be made only on the basis of the criteria set forth in Section NR 135.26(1), Wisconsin Administrative Code.

(2) Procedures

The operator of a nonmetallic mining site requesting an alternate requirement in sub. 802.18(1) shall demonstrate all the criteria in Section NR 135.26(1), Wisconsin Administrative Code. This shall be submitted in writing to the Wood County Conservation, Education and Economic Development (CEED) Committee, 400 Market Street, P.O. Box 8095, Wisconsin Rapids, WI 54495-8095. The CEED Committee may authorize in specific cases, a variance from the terms of this chapter as will not be contrary to the public interest, where due to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship to the operator. The CEED Committee will hear arguments by the operator and/or their legal representatives concerning s. 802.18(1). A publicly noticed hearing will be conducted by the CEED Committee within 30 days of the receipt of a request under s. 802.18(1). Variance approvals require a majority vote of a quorum of the CEED Committee. A decision will be made by the CEED Committee within 30 days of the public hearing.

(3) Transmittal of Decision on Request for Alternate Requirements

The decision on a request for alternative reclamation requirements shall be in writing to the applicant and shall include documentation of why the alternative requirement was or was not approved.

(4) Notice to Wisconsin Department of Natural Resources

The County of Wood shall provide notice to the Wisconsin Department of Natural Resources as provided in Section NR 135.26(3)(a), Wisconsin Administrative Code

802.19 Permit Duration

A nonmetallic mining reclamation permit issued under this chapter shall last through operation and reclamation of the nonmetallic mining site, unless suspended or revoked pursuant to sub. 802.32(2), or as limited under Section NR 135.27, Wisconsin Administrative Code where the mine operator is not the landowner.

802.20 Permit Transfer

A nonmetallic mining reclamation permit issued under this chapter shall be transferred to a new owner or operator upon satisfaction of the conditions in Section NR 135.28, Wisconsin Administrative Code.

802.21 Previously Permitted Sites

For any nonmetallic mining site which had a reclamation permit previously issued pursuant to Chapter NR 135, Wisconsin Administrative Code that becomes subject to reclamation permitting authority of the County of Wood, the previously-issued municipal reclamation permit's terms and conditions shall remain in force until they can be modified by Wood County pursuant to sub. 802.23(1).

802.22 Review

Any permitting decision or action made by the County of Wood under this chapter may be reviewed as set forth in Section NR 135.30, Wisconsin Administrative Code.

PART IV - ADMINISTRATION

802.23 Permit Modification.

(1) By the County of Wood

A nonmetallic mining reclamation permit issued under this chapter may be modified by the County of Wood if it finds that, due to changing conditions, the nonmetallic mining site is no longer in compliance with this chapter. Such modification shall be by an order conforming to the procedures in s. 802.32 and as provided in Section NR 135.24(1), Wisconsin Administrative Code.

(2) At the Operator's Option

If the operator of any nonmetallic mine that holds a reclamation permit issued under this chapter desires to modify such permit or reclamation plan approved under this chapter, it may request such modification by submitting a written application for such modification to the Wood County Land & Water Conservation Department, River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495 ~~Wood County Courthouse, 400 Market Street, P.O. Box 8095, Wisconsin Rapids, WI 54495-8095~~. The application for permit or plan

modification shall be acted on using the standards and procedures of this chapter.

(3) Required by the Operator

The operator of any nonmetallic mine that holds a reclamation permit issued under this chapter shall request a modification of such permit if required under the circumstances set out in Section NR 135.27, and NR 135.24(2) Wisconsin Administrative Code. Such application for permit modification shall be acted on using the standards and procedures of this chapter.

(4) Review

All actions on permit modifications requested or initiated under this section are subject to review under s.802.22

802.24 Permit Suspension or Revocation

(1) Grounds

The County of Wood may suspend or revoke a nonmetallic mining reclamation permit issued pursuant to this chapter if it finds any of the grounds listed in Section NR 135.25(1), Wisconsin Administrative Code.

(2) Procedures

If the County of Wood finds grounds for suspending or revoking a nonmetallic mining reclamation permit set forth in sub. 802.24(1), it may issue a special order suspending or revoking such permit as set forth in sub. 802.32(2).

(3) Consequences

The consequences of a reclamation permit suspension or revocation order under sub. 802.24(2) shall be as set forth in Sections NR 135.25(2) and (3), Wisconsin Administrative Code.

802.25 Annual Operator Reporting.

(1) Contents and Deadline

The operators of nonmetallic mining sites that satisfy the requirements of Section NR 135.36, Wisconsin Administrative Code, shall submit annual reports. These reports shall be for reclamation during a calendar year, and submitted in writing within 60 days of the end of each calendar year to the Wood County Land & Water Conservation Department, River Block Wood County Courthouse, 111 West Jackson Street~~400 Market Street, P.O. Box 8095,~~ Wisconsin Rapids, WI 54495-~~8095~~. Annual reports shall be submitted until reclamation at each nonmetallic mining site is certified as complete under sub. 802.29(3)

(2) Inspection in Lieu of Report

The County of Wood may, at its discretion, obtain the information required in sub. 802.25(1) by written documentation of an inspection it completes during a calendar year, as set forth in Section NR 135.36(4), Wisconsin Administrative Code.

(3) Retention of Annual Reports

Annual reports submitted under this section or inspection records that replace them shall be retained by the County of Wood for at least 10 years after the calendar year to which they apply. These records, or accurate copies of them, shall be made available to the Wisconsin Department of Natural Resources upon written request or during its inspection or audit activities carried out pursuant to Chapter NR 135, Wisconsin Administrative Code.

802.26 Plan Review Fees

(1) Amount and Applicability

A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under s. 802.12 shall submit a non-refundable plan review fee to the Wood County Land & Water Conservation Department, River Block Wood County Courthouse, 400 Market Street, P.O. Box 8095, 111 West Jackson Street, Wisconsin Rapids, WI 54495-8095. No plan review fee may be assessed under this section for any local transportation-related mine issued an automatic permit under sub. 802.16(3). A separate plan review fee shall be paid under this section for any modification to an existing reclamation plan submitted pursuant to s. 802.23.

(2) Expedited Plan Review Fee

A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under s. 802.12 may obtain expedited reclamation plan review by doubling the current review fee. Such fee shall be in addition to that required in sub. 802.26(1).

(3) Relation to Annual Fee

Any reclamation plan review fee or expedited reclamation plan review fee collected under this section shall be added to and collected as part of the first annual fee collected under s. 802.27.

802.27 Annual Fees

(1) Areas Subject to Fees, Procedures, Deadline, and Amount

Operators of all nonmetallic mining sites subject to reclamation permits issued under this chapter shall pay annual fees to the Wood County Land & Water Conservation Department, 400 Market Street, River Block, P.O. Box 8095, 111 West Jackson Street, Wisconsin Rapids, WI 54495-8095. These fees shall be calculated based on amount of unreclaimed acres of each site, as defined in

Section NR 135.39(1)(a), Wisconsin Administrative Code 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 s. 802.29. Fees shall be paid no later than January 31 for the previous year. If annual permit fees and/or adequate financial assurance is not paid or postmarked by January 31 a late fee shall be assessed. This late fee would consist of doubling of the annual permit fee.

(2) Wisconsin Department of Natural Resources Share of Fee

Fees paid under this section shall include a share for the Wisconsin Department of Natural Resources equal to the amount specified in Section NR 135.39(3), Wisconsin Administrative Code. 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 established by the CEED Committee. . The County of Wood shall forward fees collected under this subsection to the Wisconsin Department of Natural Resources by March 31st.

(3) Wood County's Share of Fee

(1) Fees paid under this section shall also include an annual fee due to the County of Wood. The amount of the fees under this section shall be established from time to time by the CEED Committee. Section NR 135.39(4)(b) [preamble], Wis. Adm. Code further requires that annual fees must equal as closely as possible the county's expenses to administer the program, including, but not limited to the examination and approval of plans, cost to ensure compliance, inspecting nonmetallic mining sites and administering the reclamation program set up under this ordinance. Section NR 135.39(4)(b)1., Wis. Adm. Code also provides the county may use these fees only for reasonable expenses associated with administration of a nonmetallic mining reclamation program.

(2) If applicable, the annual fee collected by the County of Wood under this subsection for local transportation-related mines issued permits under sub. 802.16(3) may not exceed the amounts set forth in Table 2 of Section NR135.39 and shall include both a share for the Wisconsin Department of Natural Resources and the County of Wood.

(4) Reduced Fee for Inactive Mines

Any site on which no nonmetallic mining activity has taken place in a calendar year shall ~~be assessed a fee established by the CEED Committee for the following calendar year.~~ receive a reduced fee for three (3) years. Reclamation must occur over this three (3) year reduced fee period to be considered for continuation of a reduced fee upon expiration of the three year period.

(5) Permit Transfer Fee

When transferring an approved reclamation plan and permit to another entity, a one-time permit transfer fee shall be due to the County of Wood. The amount of the fee shall be established from time to time by the CEED Committee.

(6) Documentation of Wood County's Share of Fee

If the annual fee in sub. 802.27(3) is greater than that established in Section NR 135.39(4)(c), Wisconsin Administrative Code, the County of Wood shall document in writing its estimated program costs and the need for its annual fees established in sub 802.27(3) on or before June 1, 2007. This documentation shall be available for public inspection.

802.28 Regulatory Reporting and Documentation.

(1) Reporting

~~The Wood~~ County of Wood shall send an annual report to the Wisconsin Department of Natural Resources including the information required by Section NR 135.37, Wisconsin Administrative Code by March 31st for the previous calendar year.

(2) Documentation

~~The Wood~~ County of Wood shall, to the best of its ability, maintain the information set forth in Section NR 135.47(3), Wisconsin Administrative Code, and make it available to the Wisconsin Department of Natural Resources for that agency's audit of Wood County's reclamation program pursuant to Section NR 135.47, Wisconsin Administrative Code.

802.29 Completed Reclamation - Reporting, Certification and Effect

(1) Reporting

The operator of a nonmetallic mining site may certify completion of reclamation for a portion or the entire nonmetallic mining site pursuant to a reclamation plan prepared and approved pursuant to this chapter and Chapter NR 135, Wisconsin Administrative Code.

(2) Reporting of Interim Reclamation

The operator of a nonmetallic mining site may report completion of interim reclamation as specified in the reclamation plan for the site prepared and approved pursuant to this chapter and Chapter NR 135, Wisconsin Administrative Code. Reporting of interim reclamation shall be done according to the procedures in sub. 802.29(1).

(3) Certification of Completed Reclamation

The County of Wood shall inspect a nonmetallic mining site for which reporting of reclamation or interim reclamation has been submitted pursuant to this subsection within 60 days of receipt, and make a determination in writing in

accordance with Section NR 135.40(7)(c), Wisconsin Administrative Code. If it is determined that interim or final reclamation is complete, including revegetation as specified in a plan that conforms with s. 802.13, the County of Wood shall issue the mine operator a written certificate of completion.

(4) Effect of Completed Reclamation

If reclamation is certified by the County of Wood as complete under sub. 802.29(3) for part or all of a nonmetallic mining site, then:

- (1) No fee shall be assessed under s. 802.27 for the area so certified.
- (2) The financial assurance required by s. 802.14 shall be released or reduced in the case of completion for a portion of the mining site.

(5) Effect of Inaction Following Report of Completed Reclamation

If no written response as required by sub. 802.29(3) for an area of the mine site reported as reclaimed or interim reclaimed is given within 60 days of receiving such request, any annual fee paid to ~~the Wood County~~ of Wood for it under ~~s.~~ s. 802.27 shall be refunded.

802.30 Permit Termination

When all final reclamation required by a reclamation plan conforming to s. 802.13 and required by this chapter is certified as complete pursuant to sub. 802.29(3), the County of Wood shall issue a written statement to the operator of the nonmetallic mining site, thereby terminating the reclamation permit.

PART V - ENFORCEMENT

802.31 Right of Entry and Inspection

For the purpose of ascertaining compliance with the provisions of Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, or this chapter, any authorized officer, agent, employee or representative of the County of Wood may inspect any nonmetallic mining site subject to this chapter as provided in Section 295.17(1), Wisconsin Statutes and Section NR 135.42, Wisconsin Administrative Code.

802.32 Orders and Citations

(1) Enforcement Orders

The County of Wood may issue orders as set forth in Section 295.19(1)(a), Wisconsin Statutes to enforce Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by s. 802.13 and a permit issued under this chapter. A violation of this chapter, an order or permit issued pursuant to this chapter or a reclamation plan required by s. 802.13 and a permit issued under this chapter shall be considered a violation of Subchapter I of

Chapter 295, Wisconsin Statutes and Chapter NR 135, Wisconsin Administrative Code.

(2) Special Orders

The County of Wood may issue a special order as set forth in Sections 295.19(1)(b) and (c), Wisconsin Statutes suspending or revoking a nonmetallic mining reclamation permit pursuant to s. 802.24, or directing an operator to immediately cease an activity regulated under Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code or this chapter until the necessary plan approval is obtained.

(3) Review of Orders

An order issued under sub. 802.32(1) or sub. 802.32(2) may be reviewed as provided in Section NR 135.43(2), Wisconsin Administrative Code.

(4) Enforcement.

The County of Wood may submit any order issued under s. 802.32 to the district attorney, the corporation counsel, the municipal attorney or the attorney general for enforcement as provided in Section 295.19(1)(d), Wisconsin Statutes.

802.33 Penalties.

Any violation of Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by s. 802.13 and a permit issued under this chapter may result in forfeitures as provided in Section 295.19(3), Wisconsin Statutes, as follows:

- (1) Any person who violates Chapter NR 135, Wisconsin Administrative Code or an order issued under s. 802.32 may be required to forfeit not less than \$25 nor more than \$1,000 for each violation. Each day of continued violation is a separate offense. While an order issued under s. 802.32 is suspended, stayed or enjoined, this penalty does not accrue. The cost of enforcement incurred by the regulatory authority shall be considered in establishing these forfeitures.

Except for the violations referred to in sub. (1), any person who violates subchapter I of ch. 295, Stats., Chapter NR 135, Wisconsin Administrative Code, any reclamation plan approved pursuant to this chapter or an order issued pursuant to s. 802.32 shall forfeit not less than \$10 nor more than \$5,000 for each violation. Each day of violation is a separate offense. While an order issued under s. 802.32 is suspended, stayed or enjoined, this penalty does not accrue.

NOTE: The Nonmetallic mining reclamation was adopted on, July 17, 2001, Table 1, Fee Schedule Change effective for the fees that are due December 31, 2002, Plan Review fee change effective January 1, 2004. Table 1, Fee Schedule Change effective January 1, 2005.

May 2007 – Ordinance revised per NR135 requirements. Fee Schedule Change and After the Fact Permit fee added.

April 2013 – Ordinance revision to section 802.27(1) (to establish a late fee) and 802.33 (to include the cost of enforcement incurred by the regulatory authority when establishing forfeitures).

October 2015 – revisions include –removal of Table 1 – Permit Fee Schedule and wording changes to include fees established by the CEED Committee. Revisions where made to Section 80.18 (2), to use the acronym CEED was used throughout to shorten the paragraph, Section 802.26 (1) and (2) removing the reference of a \$400 fee, Section 802.27 (1) be revised to remove a reference to a \$15.00 fee and replace with shall be established by the CEED Committee. That Section 802.27 (3) (1) be revised to remove the words as shown in Table 1 and use the acronym CEED. That Section 802.27 (3) (2) remove the words applicable and the removal of Table 1 – Permit Fee Schedule. That Section 802.27 (3) (4) be revised to remove reference to a \$50 fee and replace with established by the CEED Committee. That Section 802.27 add (5) Permit Transfer Fee - When transferring an approved reclamation plan and permit to another entity, a one-time permit transfer fee shall be due to the County of Wood. The amount of the fee shall be established from time to time by the CEED Committee.

That The Wood County Nonmetallic Mining Reclamation Ordinance 802 be revised to add a note to the last page of the ordinance referencing the date the ordinance was amended and what those amendments where.

December 2017 – revisions include adding “& Water” to Land Conservation Department and updating the department’s address to River Block, 111 West Jackson Street, Wisconsin Rapids, WI 54495.

The following corrections were also made:

802-12 - Nonmetallic Mining Reclamation Permit Application Required - the (b) was deleted from 802.10 in the last sentence of the paragraph.

802.14 – Financial Assurance (2) – Private Nonmetallic Mines – corrected 802.12(3) to 802.12(2).

802.23 Permit Modification (3) – Required by the Operator - NR135.24(2) was added

802.27 - Annual Fees (4) – Reduced Fee for Inactive Mines – added clarification on reduced fee.

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