

NR 153 Advisory Committee Meeting
American Family Insurance Building, Madison WI
January 7, 2008
1:00pm – 4:30pm

In attendance:

Stevenson, Gordon	WI DNR	Murphy, Pat	NRCS
Billings, Corinne	WI DNR	Klingberg, Kevan	UW Discovery Farm
Parsons, Tim	WI DNR	Masterpole, Dan	Chippewa County
Pfender, John	WI DNR	Calkins, Kurt	Columbia County
Kirsch, Kevin	WI DNR	Cleereman, Greg	Marinette County
*Lueders, Laura	WI DNR	Sebo, Paul	Washington County
*Bauman, Tom	WI DNR	Johnson, Andy	Marathon County
*Betz, Carolyn	WI DNR	Crass, David	Representing DBA
*Holden, Carol	WIDNR	Zelazny, Julian	WLWCA
Cihlar, Sandi	Producer	Maxted, Jeff	UW – Madison
Castelnuovo, Richard	DATCP	Calkins, Kurt	Columbia County
Caneff, Denny	River Alliance	*Diebel, Matt	UW – Madison
Nowak, Pete	UW Soils	*Ward Good, Laura	UW – Madison
Koepke, Al	PDPW	*Fallat, Coreen	DATCP
Zimmerman, Paul	WI Farm Bureau	*Hoyer, Will	Clean Wisconsin

*Observers – These individuals are not member of the Advisory Committee

I. Review of the December 10, 2007 Meeting Minutes

- No comments

II. TMDL Presentation (Question and Answer)

Presentation:

- “Wisconsin’s Impaired Waters Program.ppt” presented by Corinne Billings, WI DNR. (download presentation online at <http://dnr.wi.gov/runoff/rules/nr153/rulerevision.htm>)

Discussion:

- Concern was expressed about lack of public notice during TMDL process.
Action: DNR will schedule a separate meeting to discuss TMDLs in greater detail. This will be a joint meeting with the advisory committee for urban portions of NR 151. At that meeting, DNR will provide a flow diagram of process including opportunities for public involvement.
- When NR 151 is in affect, the WI DNR will have to contact individuals who will be affected by a TMDL.
- Discussion of appropriate size of watershed for effective management. WBI watersheds are 1/6 the size of Priority Watersheds. Why are some of these TMDL watersheds (e.g. Rock River) so big? DNR mentioned that the Rock River TMDL is a federally funded initiative with other national program development objectives. DNR will focus implementation on much smaller areas.
- Concern expressed that TRM dollars will go unspent or active counties will be excluded if too much emphasis on TMDLs. DNR clarified that it will ensure

flexibility in the allocation of dollars to each of the four classes by not putting allocations in rule. If there is inadequate demand in a category, DNR will reallocate the funds to other categories. Dollars will not go unspent.

- Should incorporate a criterion for restorative capacity in the selection criteria like the WBI did. DNR should not focus on TMDL project areas unless there is a chance the waters will respond.
- Producers need more education on TMDL. They are nervous.

Action: WI DNR will provide an outreach piece to be distributed to producers.

- Keep TMDLs out of the whole equation when developing their watershed management program. The state should develop the program it wants, and then work TMDLs around the state program and not vice versa.
- In the Lower Fox TMDL, EPA did an economic analysis first before doing monitoring to determine how various stakeholders would be impacted including ag. Producers want to know how TMDL implementation will affect the individual producer.

III. Setting Priorities for NR 153 Discussion

Handout:

- “Issues List from December 10, 2007 Meeting Minutes” available at <http://dnr.wi.gov/runoff/rules/nr153/rulerevision.htm>.
- Committee members were asked to choose two issues that they wish to delve further into from the list of 18 (see handout above). The top three chosen were #3) Discuss ways (e.g. WBI) to target funds to effectively address water quality problems; #9) Discuss what detailed scoring system would look like #17) Inter-agency coordination in cost-share rates and procedures (NR 154, ATCP50).

#3) Discussion of ways (e.g. WBI) to target funds to effectively address water quality problems (*note: there was some confusion in the ensuing discussion about project scale; see the explanation below of the 4 proposed funding categories*)*

- Monitoring is needed to show results of projects to gain future program support. Also need monitoring to determine if we are meeting performance standards. We need to identify who is going to do it and who is going to pay for it. Bond money cannot be used for this purpose. DNR and committee seemed to agree that this should be an agency monitoring & evaluation initiative, not something we only try to accomplish through the grants program.
- Monitoring protocols should be consistent statewide and based upon the pollutant.
- Do fewer, smaller projects where it is possible to monitor.
- There was previous discussion of the time commitment necessary to work with producers to incorporate their plans into SNAP-Plus. It was stated here that if we spend a week with one farmer to get a good plan, so be it. One good nutrient management plan is worth 20 poorly written plans.

- WBI restoration potential should be included in the ranking criteria.
- If trying to engage producers note that public is more familiar with WBI than TMDLs.
- Counties do not want to lose opportunity to address isolated violations of performance standards. Some counties are building their local programs on addressing the performance standards & prohibitions, and as local people become aware of these there is a growing pressure on the county staff to address them. The DNR financial resources are needed to make this happen, and should not all be diverted to TMDL areas. And do not exclude ORW/ERW waters – anti-degradation. WI DNR stated that impaired waters without TMDL and ORW/ERW will be at an even keel in the rankings in the appropriate category (Large scale NPS; Small Scale NPS).
- NRCS would like to be involved in the discussion about monitoring plan because they have federal dollars for monitoring.

#17) Inter-agency coordination in cost-share rates and procedures

- There is a huge disjunction between NRCS and State
- State needs to work with NRCS to align EQIP and cost-share
- Perhaps the grant program can encourage this by rewarding projects where the landowner is working with multiple entities (DNR, NRCS, Other) to address problems.
- NRCS said that it would be possible to change EQIP requirements if necessary, the grant application deadline for one.
- Encourage leverage of federal and state dollars by giving priority to project applicants who do
- A separate committee should be organized to look at this specifically.

IV. Next Meeting: February 7, 2008

- Requested Items and Topics for Further Discussion:
 - Mock up of general funding schemes that have been suggested.
 - Direct Discharge; Abandonment (NR 151 Issues);
 - DNR needs to acknowledge DATCP Soil and Water Resource Management Program as an integral part of the re-design in the purpose statement;
 - Full TMDL Presentation/Process;
 - Outreach piece for producers on TMDLs.

*The draft revisions to NR 153 propose creating four "classes" of TRM grant projects: there would be large- and small-scale versions of both the TMDL and non-TMDL related projects. The intent is that the small-scale ones would correspond to the current TRM grants, a focus on one or two farms within a rather tight area and limited to a funding cap similar to the existing amount. By comparison, the "larger-scale" ones would attempt to resolve the priority pollutant contributions within a mini-watershed component, perhaps of a WBI size range; these would have a somewhat longer timeframe with which to work and would potentially receive a larger grant budget.