



GREEN LAKE COUNTY

Land Conservation Department

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Land Conservation Committee Meeting Notice

Date: July 13, 2023 Time: 9:00 AM
County Board Room #0902, Green Lake County Government Center
571 County Rd A, Green Lake WI

AGENDA

Committee Members

- *Robert Schweder*
Chairman
- *Ken Bates*
Vice-Chairman
- *Bill Boutwell*
- *Nancy Hiestand*
- *Arnold Dahlke*
- *Wesley Eisenga* –
FSA Member

1. Call to Order
2. Certification of Open Meeting Law
3. Pledge of Allegiance
4. Approval of the June 8, 2023 Minutes
5. Public Comments
6. Appearances
 - Federal Agencies
 - Hannah Niewoehner – Green Lake Watershed Update
7. Department Activities Report
 - Staff Report
 - AIS Update
 - Lake and River Report
 - Representative Plumer legislation regarding foreign ownership of land
8. Discussion and Action on the Ag Enterprise Area (AEA) proposal in the Town of Marquette.
9. Discussion and Action regarding the Conservation Easement Program Planning Form.
10. Discussion on the 4-year Farmland Preservation Program County Review.
11. Committee Discussion
 - Future Meeting Date: August 10, 2023 at 9:00 AM
 - Future Agenda items for action & discussion
12. Adjourn

This meeting will be conducted through in person attendance or audio/visual communication. Remote access can be obtained through the following link:

[Click here to join the meeting](#)

Meeting ID: 274 535 288 858

Passcode: fUVzfY

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[+1 920-515-0495](tel:+19205150495),789589973# United States, Green Bay

Phone Conference ID: 789 589 973#

[Find a local number](#) | [Reset PIN](#)

Please accept at your earliest convenience. Thank you!

Virtual attendance at meetings is optional. If technical difficulties arise, there may be instances when remote access may be compromised. If there is a quorum attending in person, the meeting will proceed as scheduled.

Kindly arrange to be present, if unable to do so, please notify our office.
All line items are subject to any and all action by this committee, unless noted.

“Our highest responsibility is to protect and enhance land and water resources that will sustain current and future generations.”

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Land Conservation Committee
July 13, 2023 Monthly Staff Report

June 2023 Projects

1. Inspect open erosion control permits and review new permit applications for erosion control and storm-water management.
2. Deliver no-till drill to landowners throughout Green Lake County and calibrate for their specific planting needs.
3. Work on design for a concrete feed storage pad and leachate waste storage facility in the Town of Green Lake.
4. Go with Green Lake Sanitary District staff to meet with several landowners to discuss their resource concerns.
5. Give multiple tours of the CAPTURE P System in the Town of Green Lake for other agency staff that requested to see it.
6. Attend the DATCP tour of project sites within Green Lake County.
7. Attend Native Prairie Planting field day at Wescott Sportsmans Club to show county no-till drill and explain how it operates.
8. Complete the County Transect Survey for 2023 cropping season.
9. Attend Pheasants Forever field day in Fond du Lac, WI.
10. Attend drone sprays microbiologicals on corn field day in Fremont, WI.
11. Deliver the no-till drill to landowners throughout the county and calibrate to their planting needs.
12. Inspect open erosion control and storm-water management permits throughout the county.
13. Complete as-built of design plans for a plunge pool, grassed waterway, rock-lined waterway, and subsurface drain in the Town of Manchester.
14. Complete design of a roof runoff structure and subsurface drain in the Town of Princeton.
15. Continue design of a waste storage facility in the Town of Princeton.
16. Continue design of a waste storage facility in the Town of Marquette.
17. Conduct Farmland Preservation field checks.
18. Deliver No-Till Drill.
19. Complete cost share agreements for Back 40 Soil Health Challenge
20. Design wetland scrape in the Town of Brooklyn.
21. Create plan for sinkholes in the Town of Green Lake.
22. Attend Grassland 2.0 Academy.
23. Collect monthly water samples with Derek on White River Road.

July 2023 Project Focus

1. Continue Farmland Preservation Compliance checks and worksheets.
2. Continue to schedule and deliver No-Till Drill.
3. Continue designing wetland scrape in the Town of Brooklyn.
4. Create plan for sinkholes in the Town of Green Lake.
5. Continue to attend Grassland 2.0 Academy.
6. Continue collecting monthly stream samples.

Lake and River Report

Puckaway – Completed final survey and finalizing as-built construction plans for 3085 feet of breakwater constructed during the month of May. Coordinating with Village of Marquette to complete road repairs related to construction. Cason and Associates developed an Aquatic Plant Management Plan for Milfoil control. 50 Acre chemical treatment was completed.

Twin Lakes – Lake Association will be applying for a 2023 lake planning grant. Nuisance plant treatment was completed.

Spring Lake – No Update

Little Green – Attended Little Green Lake District meeting. Meet with Little Green Lake Adaptive Management Committee to start Lake Management Plan update in the fall of 2023.

Green Lake – Participated in Lake Team meeting to coordinate 2023 activities to update Lake Management Plan. Reviewed Twin Lakes Report with Green Lake Planning Team. BMPs design, bidding, and construction underway.

Grand Lake – Working with the Lake Association on grant progress for established plant control. Grant awards was denied by the Wisconsin DNR. Lake Association is self-funding the 2023 invasive plant treatment.

Other – Conducted a youth education class for macroinvertebrates at the Green Lake Public Library.

Green Lake Watershed Report

LCC Meeting

06/08/2023

GLSD Lake Update

The lake is warming up quickly. We're seeing aquatic plants growing up rapidly in the shallow water areas of Silver Creek, the Millpond, and Beyer's Cove. The GLSD's 2 aquatic plant harvesters are operational and have already been harvesting in Silver Creek/Sunnyside and Dartford Bay. All plant growth in Green Lake is managed according to our lake-wide Aquatic Plant Management Plan which the Lake Management Team is working to update in the next 2 years. Just a note – the only location on Green Lake where aquatic plants are treated en mass with aquatic herbicide (under a permit by the DNR) each year is Beyer's Cove. The aquatic invasive species of curly leaf pondweed and Eurasian watermilfoil have gotten so dense that boats cannot easily get out to the lake. The GLSD hires a specialized consulting firm to come in each May and create navigable lanes around the cove for boats to get out to the lake. The whole cove is not treated, just the navigation lanes. Other areas of the lake such as the millpond and the Sunnyside wetland are evaluated every 5 to 10 years for treatment. Currently, the flow rates in those areas do not allow for herbicide use with the current chemicals available today.

In addition to the Aquatic Plant Management Plan, the Lake Management Team is working on having our full Lake Management Plan updated in the next 2 to 3 years. We'll be working with various stakeholders including Green Lake County on this update. This Plan is critical as it sets forth goals and plans for the management team partners to work together toward better water quality and a healthier ecosystem around the lake. More information will be coming soon on this project.

In addition to the chunky filamentous algae we've seen this spring, we are now seeing what appears to be a green algae bloom in the lake. We are watching to see if a corresponding whiting event happens whereas the calcium carbonate in the water begins to precipitate out due to a slight change in overall lake water pH due to the bloom. We saw this happen after a very warm stretch in June 2021. The whiting event causes a very slight milky appearance to the water and is not harmful to people or animals – however, it is an indicator of plenty of nutrients in the water which fueled the algae bloom initially. At the same time, we're watching the Cty K marsh which is very shallow and quite warm already. In similar conditions in 2021, the marsh produced significant blue-green algae blooms early in the summer and continued to bloom on and off all summer. The type of blue-green algae produced in the CKM is known to be harmful to humans and pets and is being monitored by the GLSD and the GLA.

The GLSD began our annual summer beach sampling project after Memorial Day weekend. Each Monday morning during the summer season, GLSD staff take water samples at beaches at Dodge Park, the GL Conference Center, Hattie Sherwood, and Daychola Center (formerly known as Pilgrim Center). Samples are also taken at boat launches at Dodge and Sunset Parks along with water samples taken at the Spaulding Bridge canoe launch and the Koro Rd culvert in Ripon. The samples are then sent overnight to the WI State Lab of hygiene where they are cultured and checked for E. coli bacteria. We have seen elevated bacteria counts at various locations in the past few years with Sunset Park being one of the most common. The elevated bacteria there has always been attributed to the excessive waterfowl droppings seen along the lakeshore there adjacent to where the samples are taken. The issue is watched closely from week to week when high bacteria numbers are seen.

Finally, carp are being harvested by commercial fishermen on Monday, June 12th, out of the Cty K marsh. The crew will be out in 2 boats with nets and work through the entire marsh. The GLSD and GLA fund this work annually. Since the GLSD began removing carp in 1998, over 1.3 million lbs of carp have been removed from Big Green Lake. The two biggest years for carp removal were in 2012 and 2017, when over 100,000 lbs of carp were removed each year. The good news is that in the past 3 years the numbers of carp have fallen. In each of the past 2 years alone, carp removal has ranged from 4,000 to 5,500 lbs. This is good news for the lake and especially our shallow water wetland areas.

Watershed Coordinator Update

No major updates. Continuing to reach out to farmers/landowners to line up projects in the watershed. We expect to install 2 basins and 1 waterway this year. We are still waiting to hear back on the Roy and Wuerches Creek GLRI funding. We were told late summer when we would hear back.

GREEN LAKE COUNTY

June AIS Highlights

2023

Purple loosestrife biocontrol equipment and beetles to volunteers.

Boat wash station equipment and staff training.

Communication with Puckaway lake residents about EWM and native plants.

Statewide Landing Blitz promotion/CBCW

Communication with GL Sanitary District about loosestrife efforts and beetles.

WDNR minnows as bait rule update webniar.



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LAND CONSERVATION COMMITTEE June 7, 2023 - MINUTES

The meeting of the Green Lake County Land Conservation Committee was called to order by Robert Schweder, Committee Chairman, at 9:00AM on June 7, 2023 in the County Board Room #0902 of the Green Lake County Government Center in Green Lake, WI. The requirements of the open meeting law were certified as being met. The Pledge of Allegiance was recited.

Present:
Robert Schweder
Bill Boutwell
Ken Bates
Arnold Dahlke
Nancy Hiestand

Excused:
Wesley Eisenga, FSA Member

Staff Present: Todd Morris
Heidi Weishaar

Others Present: Cate Wylie
Jeffrey Mann

MINUTES

Motion/second (Boutwell/Dahlke) to approve and file the May 11, 2023 meeting minutes Motion carried.

PUBLIC COMMENTS

None

APPEARANCES

- Federal Agencies
None
- Hannah Niewoehner, Watershed Coordinator, provided a written update on the projects within the Green Lake Watershed that she is working on and then also included her involvements with the Green Lake Sanitary District and the Green Lake Association. See report attached.

DEPARTMENT ACTIVITIES REPORT

- **Staff Report**
Written report was reviewed.
- **AIS Update**
Written report was reviewed from Chris Hamerla, Regional Aquatic Invasive Species (AIS) Coordinator.
- **Lake and River Report**
Written Report was reviewed, and Ken Bates gave an update on Little Green.
- **Farmland Preservation Program Compliance**
52 landowners still need to turn in their Nutrient Management Plans. The staff is working on 65 spot checks. The Annual Certification Letter will be going out within the month of June.

- **2024-2025 State Funding Update**

One of our WI Land & Water Association budget priorities was to advocate on all counties behalf asking to provide \$18.7 million in stable, core funding support for conservation staff meets counties' needs and the state's statutory obligation as defined in Wis. Stats. 92.14(6)(b). The 2023 Joint Committee on Finance voted to keep the DATCP funding the same as previous years.

- **Boat-wash Station Update**

The boat-wash station at Dodge Memorial Park is completed, staff has been hired and its fully operational. Staff are washing boats 7 days a week between the hours of 7am and 3pm.

DISCUSSION & ACTION ON THE RESOLUTION TO REQUEST THE STATE OF WI REVIEW & REVISE ITS POLICY ON FOREIGN OWNERSHIP OF FARMLAND

Jeffrey Mann, Corporation Council, gave an overview of the proposed resolution. Morris, Bates and Mann met to draft the resolution.

Motion/second (Boutwell/Dahlke) to approve the resolution for Request for State of Wisconsin to Review and Revise its Policy on Foreign Ownership of Farmland. Motion carried.

DISCUSSION ON THE AG ENTERPRISE AREA (AEA) PROPOSAL IN THE TOWN OF MARQUETTE

Morris updated the board that he would be attending the Town of Marquette Meeting with the Town Board and Landowners to discuss the petition process to move forward with establishing an Ag Enterprise Area in the Town of Marquette.

COMMITTEE DISCUSSION

- Future Meeting Date: July 13, 2023 at 9:00 AM
- Future Agenda items for action & discussion

ADJOURN

Meeting adjourned at 9:45 AM.

Respectfully submitted,

Heidi Weishaar
Recorder



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-1671/1
KRP:cdc

2023 BILL

1 **AN ACT** *to repeal* 710.02 (2) (d) to (g) and 710.02 (3); *to renumber and amend*
2 710.02 (1) and 710.02 (9); *to amend* 710.02 (title), 710.02 (2) (intro.), 710.02 (2)
3 (a), 710.02 (2) (b), 710.02 (4) (a) 2., 710.02 (5), 710.02 (6) and 710.02 (8); and *to*
4 **create** 710.02 (1g), 710.02 (1r) (d) and 710.02 (9) (b) of the statutes; **relating**
5 **to:** limitations on ownership of agricultural or forestry land in this state by
6 foreign persons.

Analysis by the Legislative Reference Bureau

This bill generally prohibits certain foreign persons from acquiring more than 50 acres of agricultural or forestry land in this state, changes enforcement authority regarding foreign ownership of agricultural or forestry land from the attorney general to the Department of Agriculture, Trade and Consumer Protection, and makes various other changes to state laws restricting ownership of agricultural or forestry land by foreign persons.

Type of land subject to limitation

Current law generally prohibits certain foreign persons from acquiring, owning, or holding more than 640 acres of land in this state. However, that limitation does not apply to any of the following activities:

1. An exploration mining lease and land used for certain mining and associated activities.

BILL

2. Certain manufacturing activities.
3. Certain mercantile activities.

4. A lease for exploration or production of oil, gas, coal, shale, and related hydrocarbons, including by-products of the production, and land used in connection with the exploration or production.

Those exceptions have been interpreted to be “extremely broad, embracing almost every conceivable business activity [other than a]ctivities relating to agriculture and forestry.” See Wis. Op. Att’y Gen. OAG 11-14, ¶15, available at <https://www.doj.state.wi.us>. In other words, under current law, foreign persons may acquire, own, and hold unlimited amounts of land for most nonagricultural and nonforestry purposes, but certain foreign persons may not acquire, own, or hold more than 640 acres of land for agricultural or forestry purposes.

The bill eliminates the four exceptions enumerated under current law and instead provides that the limitation on foreign ownership of land applies only to land that is classified, for property tax purposes, as agricultural, agricultural forest, or productive forest land (agricultural or forestry land).

Amount of land foreign persons may acquire

The bill reduces the maximum amount of agricultural or forestry land that certain foreign persons may acquire, own, or hold from 640 acres to 50 acres (acreage limit).

Covered foreign persons

Under current law, the following persons generally are subject to the acreage limit:

1. An alien not a resident of a state of the United States (nonresident alien).
2. A corporation that is not created under federal law or the laws of any state (foreign entity).
3. A corporation, limited liability company, partnership, or association having more than 20 percent of its stock, securities, or other indicia of ownership held or owned by nonresident aliens or foreign entities (foreign-owned entity).
4. A trust having more than 20 percent of the value of its assets held for the benefit of nonresident aliens or foreign entities (foreign beneficiary trust).

The bill specifies that the acreage limit also applies to a foreign government.

Divestiture period

Under current law, if a covered foreign person acquires an interest in agricultural or forestry land that causes the foreign person to exceed the acreage limit, the foreign person must divest itself of that interest. Specifically, the foreign person must divest itself within four years after:

1. Acquiring the interest, if the foreign person is a nonresident alien or foreign entity and the interest is acquired by devise, inheritance, or in the good faith collection of debts by due process of law.
2. Acquiring the interest or becoming a foreign-owned entity or foreign beneficiary trust, whichever is later, if the foreign person is a foreign-owned entity or foreign beneficiary trust.

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The bill reduces the divestiture period from four years to two years. The bill also specifies that the divestiture requirement described under item 1. applies to a foreign government.

Enforcement authority

Current law provides that the attorney general must enforce the limitations and requirements related to the acquisition, ownership, and holding of agricultural or forestry land by foreign persons. Among other things, current law provides that interests in land acquired or held in violation of those limitations are forfeited to the state. The bill transfers enforcement authority, including enforcement of the forfeiture penalty, to DATCP.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 710.02 (title) of the statutes is amended to read:

2 **710.02** (title) **Limitation on ~~nonresident aliens and corporations~~**
3 **foreign ownership of agricultural and forestry land.**

4 **SECTION 2.** 710.02 (1) of the statutes is renumbered 710.02 (1r), and 710.02 (1r)
5 (intro.), as renumbered, is amended to read:

6 710.02 **(1r)** LIMITATION. (intro.) The following persons may not acquire, own,
7 or hold any interest, directly or indirectly, except an interest used to secure
8 repayment of a debt incurred in good faith, in more than 640 50 acres of agricultural
9 or forestry land in this state:

10 **SECTION 3.** 710.02 (1g) of the statutes is created to read:

11 710.02 **(1g)** DEFINITION. In this section, “agricultural or forestry land” means
12 land that is classified as agricultural under s. 70.32 (2) (a) 4., agricultural forest
13 under s. 70.32 (2) (a) 5m., or productive forest land under s. 70.32 (2) (a) 6.

14 **SECTION 4.** 710.02 (1r) (d) of the statutes is created to read:

15 710.02 **(1r)** (d) Foreign governments.

BILL**SECTION 5**

1 **SECTION 5.** 710.02 (2) (intro.) of the statutes is amended to read:

2 710.02 (2) EXCEPTIONS. (intro.) ~~Except as provided in sub. (3), sub. (1)~~

3 Subsection (1r) does not apply to any of the following:

4 **SECTION 6.** 710.02 (2) (a) of the statutes is amended to read:

5 710.02 (2) (a) Subject to sub. (5), any person acquiring an interest in
6 agricultural or forestry land by devise, inheritance, or in the good faith collection of
7 debts by due process of law.

8 **SECTION 7.** 710.02 (2) (b) of the statutes is amended to read:

9 710.02 (2) (b) Citizens, foreign governments, or subjects of a foreign
10 government whose rights to hold larger quantities of agricultural or forestry land are
11 secured by treaty.

12 **SECTION 8.** 710.02 (2) (d) to (g) of the statutes are repealed.

13 **SECTION 9.** 710.02 (3) of the statutes is repealed.

14 **SECTION 10.** 710.02 (4) (a) 2. of the statutes is amended to read:

15 710.02 (4) (a) 2. If the interest in land is acquired, owned, or held under an
16 exception set forth in sub. (2), a statement ~~which~~ that sets forth the specific exception
17 and, if under sub. (2) (d), (e), (f) or (g), ~~the timetable and plan for conversion and~~
18 development to a purpose permitted under sub. (2) (d), (e), (f) or (g).

19 **SECTION 11.** 710.02 (5) of the statutes is amended to read:

20 710.02 (5) DIVESTITURE. (a) Interests ~~exceeding 640 in agricultural or forestry~~
21 land in excess of 50 acres that are acquired by persons under sub. (1) (1r) shall be
22 divested at the discretion of the holder to comply with sub. (1) (1r) within ~~4~~ 2 years
23 after:

24 1. Acquiring the interest, if the interest is described under sub. (2) (a) and the
25 person is subject to sub. (1) (1r) (a) ~~or~~, (b), or (d).

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1 2. Acquiring the interest or becoming subject to sub. ~~(1)~~ (1r) (c), whichever is
2 later, if the person is subject to sub. ~~(1)~~ (1r) (c).

3 (b) ~~Land~~ Agricultural or forestry land subject to divestiture under par. (a) may
4 not be managed to cause undue levels of soil erosion or to injure the long-range
5 productivity of the agricultural or forestry land. The ~~attorney general~~ secretary of
6 agriculture, trade and consumer protection may bring an action to enjoin ~~these~~ those
7 practices on the agricultural or forestry land.

8 **SECTION 12.** 710.02 (6) of the statutes is amended to read:

9 710.02 **(6)** FORFEITURES. Interests in lands agricultural or forestry land in
10 excess of ~~640~~ 50 acres that are ~~acquired, owned,~~ or held in violation of this section
11 are forfeited to the state. The holder of the interest shall determine which
12 agricultural or forestry lands are to be forfeited to comply with sub. ~~(1)~~ (1r).

13 **SECTION 13.** 710.02 (8) of the statutes is amended to read:

14 710.02 **(8)** ENFORCEMENT. The ~~attorney general~~ secretary of agriculture, trade
15 and consumer protection shall enforce this section.

16 **SECTION 14.** 710.02 (9) of the statutes is renumbered 710.02 (9) (a) and
17 amended to read:

18 710.02 **(9)** (a) ~~This section~~ Section 710.02, 2021 stats., applies to interests in
19 land acquired after July 1, 1982, and before the first day of the first month beginning
20 after the effective date of this paragraph [LRB inserts date]. No interest acquired
21 before July 1, 1982, is subject to divestiture or forfeiture under ~~this section s. 710.02,~~
22 2021 stats.

23 **SECTION 15.** 710.02 (9) (b) of the statutes is created to read:

24 710.02 **(9)** (b) This section applies to interests in land acquired on or after the
25 first day of the first month beginning after the effective date of this paragraph

BILL

SECTION 15

1 [LRB inserts date]. No interest acquired before the first day of the first month
2 beginning after the effective date of this paragraph [LRB inserts date], is subject
3 to divestiture or forfeiture under this section.

4 (END)



Conservation Easement Program Planning Form

Local partners in our greater Green Lake County and watershed region are interested in promoting the use of conservation easements. Conservation easements are voluntary, legal agreements that permanently restrict land use to preserve its conservation values. To ensure the success of this program, we have agreed that all partners should express their sincere commitment to sharing specific resources and clarify their program priorities. While these answers are not binding and this document is for internal planning purposes only, your responses will enhance our understanding and help us develop a strong, straightforward, and effective program.

Please complete (and, if necessary, vote to approve) the content within this form with your Boards by July 17, 2023.

Entity completing the form: _____

1. My organization is legally allowed to hold a conservation easement.

- Yes, we are legally allowed to hold easements.
- No, we are not legally allowed to hold easements.

2. Under certain constraints, my organization would generally be willing to hold easements within the following locations (check all that apply):

- N/A; my organization is not legally allowed to hold conservation easements.
- Green Lake County
- Fond du Lac County
- Green Lake Sanitary District boundary
- Green Lake watershed
- Other; please specify:

3. Within the geographic constraints of #2, my organization would be willing to consider holding easements on parcels with the following land characteristics (check all that apply):

- N/A; my organization is not legally allowed to hold conservation easements.
- Agricultural parcels
- Areas that have unique natural resource characteristics (e.g., "special places")
- Stream corridors
- Wetlands

Other; please specify:

4. My organization would like to prioritize conservation easements on:

- Agricultural parcels
- Areas that have unique natural resource characteristics
- Stream corridors
- Wetlands
- The Green Lake watershed
- Other watersheds or sub-watersheds; please specify:
- Other; please specify:

5. My organization generally believes we should pursue conservation easements:

- With the most interested landowners first.
- With a ranking system based on resource protection first.

6. My organization would be willing to consider providing some level of cash contributions for (check all that apply):

- Management of the conservation easement program.
- Fees associated with creating conservation easements (e.g., appraisals, legal fees, annual inspection fees).
- Other; please specify:
- My organization is not able or willing to provide a cash contribution.

7. My organization would be willing to allow staff or volunteers to work on the conservation easement program.

- Yes. Staff and/or volunteers could work on this program.
- No. Staff and/or volunteers would not be able to work on this program.

8. My organization would be willing and capable to commit the following in-kind resources to support the conservation easement program (check all that apply):

- Initial parcel evaluation for baseline data.
- Serving as a conservation easement expert for the participating landowner.
- Annual conservation easement inspections/monitoring.
- Development of conservation easement educational materials.
- Communication of the conservation easement program.
- Organizing and hosting educational workshops.
- Other; please specify:

At this early stage in developing a multi-partner conservation easement program, is there any other information, comments, or questions you would like to share?

This form was completed by my organization's _____ on _____
Name of Committee/Board Date

This form was completed on behalf of my organization by _____
Name