STATE SENATOR KATHY BERNIER
TWENTY-THIRD SENATE DISTRICT

State Capitol • P.O. Box 7882 • Madison, WI 53707
Office: (608) 266-7511 • Toll Free: (888) 437-9436
Sen.Bernier@legis.wi.gov • www.SenatorBernier.com

From: **Senator Kathy Bernier**
To: **Senate Committee on Natural Resources and Energy**
Re: **Testimony on Senate Bill 968**
Relating to: Funding for the Fenwood Creek Watershed Pilot project
Date: **February 23, 2022**

Thank you to Chairman Cowles and committee members for hearing this innovative bill. Reducing agricultural runoff is critical to the health of Wisconsin's waterways. However, less than 37% of the cropland in the State has a nutrient management plan (NMP) in place, the State's primary tool for reducing runoff. Of the NMPs in place, few have a long-term impact on phosphorus reduction, causing Wisconsin to miss phosphorus reduction goals, leaving many of our waters continually on the State's impaired list.

However, an innovative pilot program in Marathon County's Fenwood Creek Watershed is reducing phosphorus and sediment runoff between 60-90% per farm by aligning incentives and state cost-sharing with measurable results. Unlike current cost-share payments, payments under the Fenwood Creek pilot are performance-based. Under the program, farms that reach superior levels of phosphorus reduction receive higher per-acre payments. Annual payments range from $20 to $40 per acre for the first three years, followed by half-payments during the final three-year maintenance phase.

Although results-based cost-sharing has had incredible results in Marathon County, it is not yet used by any other US state or municipality in any significant way and presents Wisconsin with an opportunity to lead the nation in pioneering this innovation. Expanding this pilot project throughout the watershed would give Wisconsin vital information about the efficacy of scaling these efforts in other parts of the State.

I'm happy to have with me today Paul Daigle, the Marathon County Conservationist who oversees the current pilot, as well as experts from across the industry, to brief you on this groundbreaking approach and take your questions. Thank you again for your time and consideration of this innovative bill.

DONNA M. ROZAR

STATE REPRESENTATIVE • 69TH ASSEMBLY DISTRICT

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P.O. Box 8953
Madison, WI 53708-8953

Testimony before the Senate Natural Resources and Energy Committee

SB 968

February 17, 2022

Thank you Chair Cowles, Vice-Chair Felzkowski, and members of the Senate Committee on Natural Resources and Energy for holding this hearing on SB 968, relating to funding for the Fenwood Creek watershed pilot program, an innovative program designed to incentivize farmers to reduce agricultural runoff and protect our waterways from phosphorous pollution. As explained by the Legislative Bureau, this bill will provide $607,000 in funding for the implementation of the Fenwood Creek watershed pilot program for the fiscal year of 2022-2023. This will not only be instrumental in incentivizing farmers to reduce their phosphorous runoff, but also provides the additional benefit of protecting the Big Eau Pleine Reservation, where the watershed is located, and reducing pollution into the Wisconsin River.

Currently, Wisconsin waterways are being impaired by significant runoff of phosphorous and other sediments resulting in excessive increases of algae that consume all of the available oxygen and lead to so called "dead zones" with a reduction in fish and plant populations in that area. Under current programs aimed at reducing the amount of agricultural runoff, farmers are given cost-sharing payments for creating a nutrient management plan to reduce runoff. However, these plans have no effective way of guaranteeing that the reduction levels are actually met and have not been successful at reducing contamination.

However, under the proposed watershed pilot program, farmers incentivized for demonstrating that they have reduced their levels of pollution. The performance based payments would allow farmers to be rewarded for adopting better farming systems that yield tangible results. As part of the program, farmers will receive annual $20 to $40 per acre payment for demonstrating reductions in phosphorous levels for the first three years of the program followed by receiving half that sum for the next three years.

This new approach has already seen incredible results with an average of a 60-90% reduction per farm in Marathon County's Fenwood Creek watershed program. However, the implementation of this program has been limited due to a lack funding. An expansion of the pilot program throughout the entire watershed will allow policymakers to study the effectiveness of replicating the results in phosphorus reduction that we have already seen in other areas of the watershed. With the projected future success, this program gives Wisconsin a chance to be a leader in reducing agricultural pollution and improving our marine ecosystem.

Thank you for your kind attention, and for your support of this new, innovative way to protect our wildlife and water systems for generations to come. I will be glad to answer any questions.

Pay for Performance:

An innovative approach meet Fenwood Creek Water Quality Goals

by Paul Daigle-County Conservationist
715-573-1435

MARATHON COUNTY
Conservation, Planning, & Zoning Department

1

Innovative use of funds:

- Overview of a new approach to move farmers from good to great managers of the land
- Moves beyond Ag performance standards and prohibitions
- Provides incentive for implementation of superior management systems
- Rewards the best inspires the rest

**used Multi-Discharge Variance funds-payments to the County in lieu of sewage treatment plant upgrades*

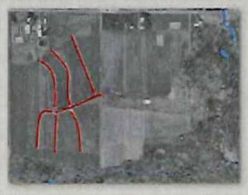
2

The Fenwood Creek Watershed- **Can we have Fish and Cheese?**

- Why the Fenwood
- County Pilot Project- Phosphorus impaired
- ~25,000 acres flows into the Big Eau Pleine (BEP) reservoir
- 65% of the watershed area cropland
- Challenge: Support farming while mitigating environmental impacts of soil and phosphorus runoff

3

Land Management



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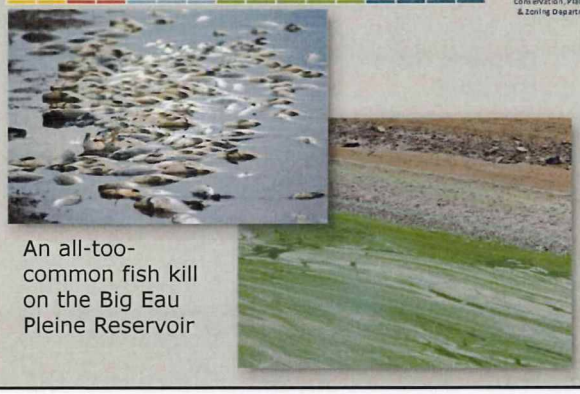
Water Quality-Phosphorus Impaired Waters

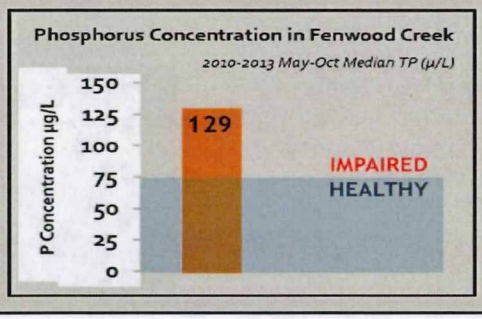


An all-too-common fish kill on the Big Eau Pleine Reservoir

5

Goals for the Fenwood Watershed

- Lower the Phosphorus by at least 60%



6

Agricultural Performance Standards and Prohibitions (APSP)

- **COMMON SENSE PRACTICES ALL FARMERS SHOULD FOLLOW:**
  - AGRICULTURAL PERFORMANCE STANDARDS:
    - Sheet, rill erosion
    - Tillage setback
    - Phosphorus index
    - Manure storage facilities
    - Process wastewater handling
    - Clean water diversions
    - Nutrient management
  - MANURE MANAGEMENT PROHIBITIONS:
    - No overflow of manure storage facilities.
    - No unconfined manure piles in a water quality management area.
    - No direct runoff from feedlots or stored manure into state waters.
    - No unlimited livestock access to waters of the state in locations where high concentrations of animals prevent the maintenance of adequate or self-sustaining vegetative cover.

•Even if all farms met APSP we still couldn't meet the goals of the Fenwood Creek Watershed Management Plan OR the Wisconsin River TMDL Plan.

7

How Do We Get There? Superior Cropland Farming Practices

2/23/2022

- Implementation of these management practices can cut phosphorus levels 60% or more

8

Incentive payments: Rewarding the best…Inspiring the rest

- Working towards water quality goals
- How we got there on five farms:
  - Reward farmers that exceeded APSP
  - Develop outcome-based incentives
  - Asked for farm-wide approach
  - Encouraged farmer ingenuity-put them in control

9

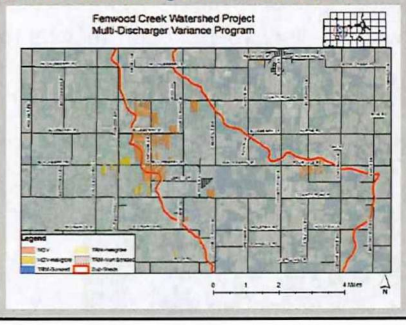
Incentives: Going from good to great

- Farmers meet basic performance requirements as an eligibility requirement
- Farmers, find how they can reduce Phosphorus levels by at least 60% to earn incentives.
- Open to all size farms and management systems
- Farmers earn farm-wide incentive of $20-$40 per acre/per year for up to 6 years. Incentive based upon reductions.

10

2020 and 2021 Snapshot

- Total of 1,214 acres within the Fenwood Creek Watershed Incentivized utilizing MDV funds- 5 farms



11

Cost Efficiency

Farm	Planned PI	Acres	Avg. farm-wide P reduction (lbs./yr.)	Total cost ($/year)	Cost/Pound ($/lb./yr.)
Five Farm Averages	2.1	1,214 ac.	1,710 lbs/yr.	$30,520/yr	$17.85

-The Incentive program spends an average of ~$18/lb./year. on Phosphorus runoff reduction.
The old strategy cost $57/lb/year
Wastewater Treatment plants $200+/lb/year

12

2020-21 Example: Young Dairy farmer

- Keith Bauman: agreed Phosphorus runoff to less than one pound/acre.
- Keith worked with CPZ staff to plan a combination of practices that would accomplish this goal.
- Agreed to no-till 100% of his corn and soybeans, inter-seed cover crops in corn, and fall seed cereal rye following soybeans.
- Today Keith is impressed by his results and will continue the change

13

How Do We Get There? Community Engagement

EPPIC
Eau Pleins Partnership for Integrated Conservation

14

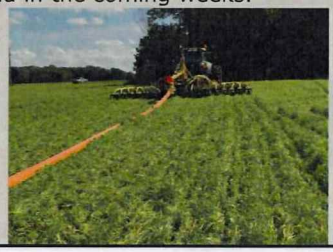
Funds to meet full plan goals

- Fenwood Creek goals: Reduce about 31,500 lbs of phosphorus
- Six year ask of ~$600,000 per year to fully fund The Fenwood Pilot Watershed Project

15

Outcome:

- See the results on youtube: Successful Water Quality Outcomes in the Fenwood Watershed.
- I look forward to all of your support moving this bill ahead in the coming weeks.



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Outcome:

MARATHON COUNTY
Conservation, Planning, & Zoning Department

- Successful and measurable outcome-based model to reduce phosphorus (Verified by in stream Water Quality monitoring)

- Demonstrating that indeed we can have Fish and Cheese in Wisconsin, by Rewarding the Best and Inspiring the Rest….

17

Questions-Discussion?

MARATHON COUNTY
Conservation, Planning, & Zoning Department

18

Testimony of Matthew Oehmichen

Community leader, media personality, business leader, agriculturalist

Of Colby, Wisconsin

Committee on Natural Resources and Energy

February 23rd 2022 - State Capitol

Public Hearing concerning Bill SB968 – Funding for the Fenwood Creek watershed pilot project

My name is Matthew Oehmichen from Colby, Wisconsin. I am an owner and manager of an independent agriculture retailer, I serve as an advisor for the Eau Pleine Partnership for Integrated Conservation farmer-led watershed group, and I help raise crops on my family's acres from our former dairy farm.

Agriculture and our natural resources are reaching a crossroads. With Wisconsin's waters becoming increasingly compromised by runoff and nutrient discharge, a lot of pressure is being put on state agencies and lawmakers to take action. But what does "action" mean? Restrictive regulations and compulsory standards are often brought up, which are then quickly met with push-back from the farming community. Agriculturists will say,

"We don't need you to tell us how to manage the land."

But this dismissive mantra doesn't solve any problems. We can't continue to ignore the fact that agricultural runoff continues to be a major source of contamination of our state's waters. And without a plan, it will continue to be so, and the environmentalists will continue to decree, "You need to do something."

Then we have lawmakers that are being put in a tough position to make swift and often misguided decisions. Decisions influenced by researchers, lobbyists, and agencies, all throwing money at the problem in vain, to try to "fix it." During the water quality task force hearings, the panel stressed that they are strained by this shotgun-legislation approach, and want to see funds applied to solutions that will effectively solve this problem.

Cue in Bill Number SB968. This bill answers these calls for action. This pilot program will create an incentive approach that is performance-based. What this encourages is rewarding a farmer's progress in reducing their phosphorus discharge and soil runoff. What else makes this unique is they are allowed to approach this program in any fashion and are not limited to only one practice. This encourages proper placement of conservation implemented practices on our region's dynamic agriculture landscape. With things like adaptive rotations, perennial forage, grazing, companion crops, alternative forages, and minimum till, farmers have an arsenal of conservation methods at their fingertips.

The older models of encouraging farmers to adopt conservation practices have been to provide educational resources and incentives without accountability. With the growing presence of watershed groups, the educational component is becoming stronger, but the incentive-only approach is becoming an issue. Farmers are feeling bitter that they are 'going the full measure' to fix the runoff problem while other farmers get the same incentive payment for a poor performing conservation program. If we have

champions of progressive farming that are doing their part by being good stewards of the land, shouldn't we be supporting that and making that an example to strive for? Money talks more than anything in the farming community, and paying a farmer for farming well is money well spent.

There is nothing to fear from farmers adopting these practices to stop the runoff. For example, interseeding companion crops into standing corn creates a synergetic relationship with the biome in the soil and corn, increases water management in the field, and increases better logistics because equipment isn't getting stuck in the field, all without decreasing yield. Grazing, such as raising heifers for a dairy on grass pasture rotations, establishes a continuous cover of soil and livestock on the landscape that increases herd health. And better herd health leads to better milk and better cheese, like Colby cheese.

If this program works, the benefits would stretch far beyond the farm field. It would also help our rural communities prosper. When a farmer profits, so do the businesses that serve that farmer. The practices farmers utilize in this program are based on soil health principles. When our soil is built and not washed away, we are strengthening the productivity and vitality of our farms, both large and small.

People do not realize that farmers, environmentalists, and the like have overlapping goals: Farmers want to be good stewards of the land, they want to be responsible for clean water. This bill gives the blueprint for that.

The heartbeat of our state comes from its rural communities, and small hometown farms like mine. Without them, we do not have a Wisconsin. Farming is about leaving a legacy, and I want my children to benefit from the land but also to be able to fish, swim, and drink the clean Wisconsin water they deserve. The last thought I will leave you with is if we do not support this now, then when? The opportunity is here. It is up to our leaders to help us move forward like our state motto beckons us to.

Thank you for hearing my testimony and I will field any questions you have at this time.

Matthew Oehmichen

Colby, Wisconsin

Wisconsin Farmers Union
UNITED TO GROW FAMILY AGRICULTURE

February 23, 2022

RE: Assembly Bill 968 – Relating to: funding for the Fenwood Creek watershed pilot project

Chair Cowles & Members of the Committee,

On behalf of the Marathon County Farmers Union and Wisconsin Farmers Union, I'm here today to testify in support of Senate Bill 968 which will provide funding for the Fenwood Creek Pilot Watershed Project. The provisions in this bill are important because they support outcome-based practices with a proven record of success in reducing phosphorus and sediment in an impaired watershed.

Wisconsin Farmers Union (WFU) is a state-wide farm organization, with farmers representing all areas of the state and all types of agriculture in our membership and the Marathon County Farmers Union is the local chapter of WFU with membership across the county. We have a strong commitment to policy that assists farmers in implementing conservation measures. The Fenwood Creek Pilot project is consistent with our goals to see funding to support highly effective and innovative approaches to achieve both successful farming operations and improvements in water quality.

Funding for the pilot will expand a current Marathon County effort to a 25,000-acre watershed to greatly reduce phosphorus runoff. We see this as an important model not only for Marathon County but an important template to address the most severely impaired watersheds in the state. Reducing agricultural runoff is critical to the health of Wisconsin's waterways. Less than 37% of the cropland in the state has a nutrient management plan (NMP) in place, one of the state's primary tools for reducing cropland runoff. Of the NMPs in place, in phosphorus impaired watersheds like the Fenwood, few have a long-term impact on phosphorus reduction, causing the local watersheds and Wisconsin to miss phosphorus reduction goals, leaving many of our waters continually on the state's impaired list. Current efforts in Fenwood Creek are showing outcomes of 60-90% reduction in phosphorus and sediment runoff per farm by aligning incentives to farmers with outcome based measurable results.

Unlike current cost-share payments which are given to farmers with often unknown levels of implementation, payments under the Fenwood Creek pilot are performance-based. This is the critical feature in this work. Under the program, farms that reach superior levels of phosphorus reduction receive higher per-acre incentive payments. Annual payments range from $20 to $40 per acre for the first three years, followed by half-payments during for the final three-year maintenance phase. Expanding this pilot project throughout the watershed would give Wisconsin vital information about the efficacy of scaling these efforts in other parts of the state as well as a tool locally to try something new, innovative with broad support.

Finally, we ask for swift action and approval of funding for this pilot project. Thank you for the opportunity to share Wisconsin Farmers Union's support on this important legislation.

Nick Levendofsky
Wisconsin Farmers Union
Government Relations Director
nick@wisconsinfarmersunion.com

Wisconsin Land+Water Conservation Association

121 S. Pinckney Street, Suite 420 · Madison, Wisconsin 53703
(608) 441-2677 · Fax: (608) 441-2676 · wisconsinlandwater.org

February 23, 2022
Senate Committee on Natural Resources and Energy
Submitted Testimony in Support of Senate Bill 968
Matt Krueger, Executive Director

Thank you, Chairman Cowles and Committee members, for the opportunity to speak today in support of SB 968. WI Land+Water's members are 450 county land conservation committee members and 370 county conservation department staff in all counties of the state. Our members provide technical support and trusted advice to agricultural producers and private landowners as they help them achieve their land management objectives, while meeting baseline conservation standards at the same time.

The Fenwood Creek watershed makes up a roughly 39 square mile land area that drains into the Big Eau Pleine Reservoir, and eventually, into the Wisconsin River. Though it is located in western Marathon County, there are a number of issues in the Fenwood Creek watershed that are common to many counties and watersheds around the state.

Many—if not all—counties contain agricultural areas from which excess phosphorus and sediment run off, and pollute downstream lakes and rivers. In some cases, these excess nutrients and sediment acts as an unwanted fertilizer in waterways, causing algae blooms that can decrease property values and cause fish kills. These polluted lakes and rivers are considered "impaired," or not meeting water quality standards set by the Department of Natural Resources, and there are a growing number of them across the state.

For years, our approach to polluted runoff challenges has been to apply conservation practices to specific resources concerns on the land, with county conservation staff playing an essential role in assisting landowners with implementation. This system has its merits, and without it, we would be in a far worse-off place—but it also has its limits. A major limitation is that the agricultural conservation standards that these conservation practices were developed to meet are only baseline expectations. Implementation of them certainly helps water quality, but it will not help improve water quality on the scale we need to see to address downstream water quality concerns.

This challenge is very apparent in the Fenwood Creek watershed, and that is why this bill is innovative, and worthy of support. Producers are compensated for superior management and farming systems that go beyond basic agricultural standards, and their compensation is based upon showing results. The less phosphorus and sediment that leave a farm field (and stay out of a lake or river in the process), the more compensation that producer receives. It is very straightforward, and it is likely to foster greater adoption by agricultural producers in the watershed than our traditional approach, particularly as farmers there are already very engaged in land stewardship, and peer-to-peer learning.

As conversations around the state and in this building over the past several years have demonstrated, we face growing concerns over water quality, and we are searching for new approaches. The approach proposed in this bill is one that, if successful, will potentially provide us a new and valuable tool in ensuring our farms remain profitable and well-managed, and water quality is protected at the same time. I encourage you to support SB 968. Thank you.

2/17/2022

Senator-Kathy Bernier
Room 319 South
State Capitol
PO Box 7882
Madison, WI 53707

GrassWorks, Inc.
360 Cedar Sauk Road
West Bend, WI 53095

Senator Bernier,

I am writing on behalf of GrassWorks, Inc. to inform you and the Wisconsin Legislature of our support of a new bill which will provide funding for the Fenwood Creek Pilot Watershed Project. In addition, we ask for swift action and approval of funding for this pilot project. It is imperative that we put in place outcome-based practices with a proven record of success in reducing phosphorus and sediment in an impaired watershed. This Pilot project includes support for managed grazing, considered to be the gold standard of conservation farming systems.

The Pilot project will expand current efforts to reduce phosphorous runoff in Marathon County to the 25,000 acre Fenwood Creek watershed. If funded and successful, the Fenwood Creek Pilot project can serve as a model to improve water quality not only in Marathon County, but across Wisconsin.

Reducing agricultural runoff is critical to the health of Wisconsin's waterways. However less than 37% of the cropland in the State has a nutrient management plan (NMP) in place, one of the state's primary tool for reducing cropland runoff. Of the NMPs in place, in phosphorus impaired watershed like the Fenwood, few have a long-term impact on phosphorus reduction, causing the local watersheds and Wisconsin to miss phosphorus reduction goals, leaving many of our waters continually on the state's impaired list.

However, an innovative pilot program in Marathon County's Fenwood Creek watershed is reducing phosphorus and sediment runoff between 60-90% per farm by aligning incentives to farmers with outcome based measurable results.

Unlike current cost-share payments, which are given to farmers with often unknown levels of implementation, payments under the Fenwood Creek pilot are performance-based. Under the program, farms that reach superior levels of phosphorus reduction receive higher per-acre incentive payments. Annual payments range from $20 to $40 per acre for the first three years, followed by half-payments during for the final three-year maintenance phase.

Expanding this pilot project throughout the watershed would give Wisconsin vital information about the efficacy of scaling these efforts in other parts of the state as well as provide the locals with a new and innovative tool to improve their local environment.

Sincerely,

Aaron Pape
Board Secretary

SSWIG
SAUK SOIL & WATER IMPROVEMENT GROUP

February 17, 2022

Senator Kathy Bernier
Room 319 South
State Capitol
PO BOX 7882
Madison, WI 53707

Dear Senator Bernier,

I am writing on behalf of the Sauk Soil & Water Improvement Group (SSWIG) to inform you and the Wisconsin Legislature of our support of a new bill which will provide funding for the Fenwood Creek Pilot Watershed Project. In addition, we ask for swift action and approval of funding for this pilot project. It is imperative that we put in place, outcome-based practices with a proven record of success in reducing phosphorus and sediment in an impaired watershed. In addition, this Pilot project is consistent with goals within our producer led watershed protection group, SSWIG, and that is to work together to provide support for funding of highly effective and innovative approaches to achieve both successful farming operations and improvements in water quality.

If this Pilot project is funded, it will expand a current effort in Marathon County to a 25,000-acre watershed to put in place a community supported effort to greatly reduce phosphorus runoff. In addition, if this project is fully funded and successful, it can put in place a model to be used not only across Marathon County but across Wisconsin to address the most severely impaired watersheds in the State.

Reducing agricultural runoff is critical to the health of Wisconsin's waterways. However less than 37% of the cropland in the State has a nutrient management plan (NMP) in place, one of the state's primary tool for reducing cropland runoff. Of the NMPs in place, in phosphorus impaired watersheds like the Fenwood, few have a long-term impact on phosphorus reduction, causing the local watersheds and Wisconsin to miss phosphorus reduction goals, leaving many of our waters continually on the state's impaired list.

However, an innovative pilot program in Marathon County's Fenwood Creek watershed is reducing phosphorus and sediment runoff between 60-90% per farm by aligning incentives to farmers with outcome based measurable results.

Unlike current cost-share payments, payments under the Fenwood Creek pilot are performance-based. We appreciate this approach and believe that this will lead to greater adoption of practices that will help build profitable and resilient farms while creating healthy, productive soils all while protecting our water resources. Under the program, farms that reach superior levels of phosphorus reduction receive higher per-acre incentive payments. Annual payments range from $20 to $40 per acre for the first three years, followed by half-payments during for the final three-year maintenance phase.

Expanding this pilot project throughout the watershed would give Wisconsin vital information about the efficacy of scaling these efforts in other parts of the state as well as a tool locally to try something new, innovative with broad support.

Sincerely,

Roger Bindl
Committee Member
Sauk Soil & Water Improvement Group

Petenwell and Castle Rock Stewards

1735 Archer Lane, Nekoosa, WI 54457 pacrs.org

February 18, 2022
Senator-Kathy Bernier
Room 319 South
State Capitol
PO Box 7882
Madison, WI 53707

Senator Bernier,

I am writing on behalf of the Petenwell and Castle Rock Stewards (PACRS) to inform you and the Wisconsin Legislature of our support of a new bill which will provide funding for the Fenwood Creek Pilot Watershed Project. In addition, we ask for swift action and approval of funding for this pilot project. It is imperative that we put in place, outcome-based practices with a proven record of success in reducing phosphorus and sediment in an impaired watershed. In addition, this Pilot project is consistent with goals within our organization and that is to work together to provide support for funding of highly effective and innovative approaches to achieve both successful farming operations and improvements in water quality.

If this Pilot project is funded it will expand a current effort in Marathon County to a 25,000 acre watershed to put in place a community supported effort to greatly reduce phosphorus runoff. In addition, if this project is fully funded and successful, it can put in place a model to be used not only across Marathon County but across Wisconsin to address the most severely impaired watersheds in the State.

Reducing agricultural runoff is critical to the health of Wisconsin's waterways. However less than 37% of the cropland in the State has a nutrient management plan (NMP) in place, one of the state's primary tool for reducing cropland runoff. Of the NMPs in place, in phosphorus impaired watershed like the Fenwood, few have a long-term impact on phosphorus reduction, causing the local watersheds and Wisconsin to miss phosphorus reduction goals, leaving many of our waters continually on the state's impaired list. We are encouraged that this project will greatly reduce the amount of phosphorous runoff that enters into Petenwell and Castle Rock Lakes.

However, an innovative pilot program in Marathon County's Fenwood Creek watershed is reducing phosphorus and sediment runoff between 60-90% per farm by aligning incentives to farmers with outcome based measurable results.

Unlike current cost-share payments which are given to farmers for with often unknown levels of implementation, payments under the Fenwood Creek pilot are performance-based. Under the program, farms that reach superior levels of phosphorus reduction receive higher per-acre incentive payments. Annual payments range from $20 to $40 per acre for the first three years, followed by half-payments during for the final three-year maintenance phase.

Petenwell and Castle Rock Stewards

Expanding this pilot project throughout the watershed would give Wisconsin vital information about the efficacy of scaling these efforts in other parts of the state as well as a tool locally to try something new, innovative with broad support.

Sincerely,

Scott Bordeau

Scott Bordeau
President
Petenwell and Castle Rock Stewards

Cc: Paul Daigle-Marathon County Conservation, Planning and Zoning Department

2301 NORTH THIRD STREET WAUSAU, WISCONSIN 54403
715/848-2976 FAX: 715/842-0284
Web Site: www.wvic.com Email: staff@wvic.com

WVIC

Senator-Kathy Bernier
Room 319 South
State Capitol
PO Box 7882
Madison, WI 53707
Via Email Sen.Bernier@legis.wi.gov

February 21, 2022

RE: Letter of Support for SB-968 Funding For Fenwood Creek Watershed Pilot Project

Wisconsin Valley Improvement Company (WVIC) operates the Eau Pleine Reservoir as part of the Wisconsin River Headwaters Reservoir System to maintain as uniform a flow as practicable in the Wisconsin River and a reasonable balance among the benefits the water resource provides including water conservation, flood control, low flow augmentation, hydroelectric generation, water quality, wildlife, and recreation. In accordance with its long-standing history of partnering with a variety of agencies, entities, and stakeholders to monitor, manage, and maintain the water and land resources within and around the Eau Pleine Reservoir and Wisconsin River Basin, WVIC supports SB-968 to allocate funding for the Fenwood Creek Watershed Pilot Project.

The Fenwood Creek Watershed drains 24,958 acres of land directly into the Eau Pleine Reservoir which further supplements the flow in the Wisconsin River. For decades the Eau Pleine Reservoir has suffered water quality issues, algal blooms, and overall impairment from excessive soil, sediment, and organic materials containing nutrients like phosphorus entering the reservoir from surrounding watersheds. While the factors influencing poor water quality have been well studied and understood, meaningful and practical solutions to address land management activities in the watershed have historically been difficult to implement and maintain, but progress is being made with implementation of the Fenwood Creek Watershed Pilot Project and this new approach to agricultural land management is showing promise and should be continued.

WVIC supports SB-968 to allocate funding for the Fenwood Creek Watershed Pilot Project and looks forward to realizing potential improvements in land management and associated water quality not only around the Eau Pleine Reservoir but throughout the Wisconsin River Basin.

Sincerely,

Ben Niffenegger
Manager, Environmental Affairs

Scott J. Blado
Environmental and Safety Specialist

Cc: Paul Daigle-Marathon County Conservation, Planning and Zoning Department

February 17, 2022

Senator Kathy Bernier
Room 319 South
State Capitol
PO Box 7882
Madison, WI 53707

Senator Bernier,

River Alliance of Wisconsin supports the passage of SB-968, the Fenwood Creek watershed pilot project. This project is innovative and will help to test an approach to improving groundwater quality that has not been widely tried in the state, but could become a model. Paying farmers for actual performance in reducing phosphorus runoff could well show better results by prioritizing outcomes over incentivizing the adoption of a narrow band of prescriptive practices. River Alliance actively participates in local watershed groups, including the producer-led watershed group, the Eau Pleine Partnership for Integrated Conservation (EPPIC). We know, first hand, that farmers and citizens around Fenwood are committed to reversing the impacts of agricultural water pollution and we support them in these efforts.

The Fenwood project is innovative. By paying farmers based on their actual phosphorus contributions we align conservation funding with actual results. By allowing farmers to choose the way that they achieve these outcomes, we enlist their creativity in reaching those targets. If funded, the program will expand a current program in Marathon County to 25,000 acres, which will provide the sort of scale necessary to know whether this is a replicable program in other parts of the state. We believe this pilot project could show significant reductions in phosphorus loading from participating farms based on the progress from earlier Marathon County projects, which has shown 60-90 percent reductions in phosphorus and sediment runoff for individual participating farms. Results of this magnitude—achieved watershed-wide—are necessary to meet Wisconsin River Total Maximum Daily Load targets.

The condition of Wisconsin's groundwater continues to deteriorate, negatively affecting the health of our citizens, environment, and economy. Reducing agricultural pollution of groundwater would make a significant difference. Wisconsinites overwhelmingly favor action to protect water (75% in favor based on recent county-level referendum results). While River Alliance and its members are disappointed that more extensive legislative efforts to control nutrient pollution of ground and surface water have largely failed to pass into law and regulation, we remain broadly supportive of parallel efforts to bolster local voluntary programs that show promise in reversing Wisconsin's increasingly dire groundwater conditions. We endorse the expansion of the Fenwood Creek project, and SB-968 specifically, as one step in the right direction, and hope it gets the bipartisan support that it deserves.

Sincerely,

Michael Tiboris
Clear Water Farms Director
River Alliance of Wisconsin
612 W. Main St. Suite 200
Madison, Wisconsin 53703
(608) 257-2424x125 | mtiboris@wisconsinrivers.org

Marathon County Farm Bureau

P.O. Box 5550, Madison, WI 53705 877.583.5880 wfbf.com/about/counties/marathon

February 21, 2022

Senator-Kathy Bernier
Room 319 South
State Capitol
PO Box 7882
Madison, WI 53707

Senator Bernier,

I am writing on behalf of Marathon County Farm Bureau to inform you and the Wisconsin Legislature of our support of a new bill which will provide funding for the Fenwood Creek Pilot Watershed Project. In addition, we ask for swift action and approval of funding for this pilot project. It is imperative that we put in place, outcome-based practices with a proven record of success in reducing phosphorus and sediment in an impaired watershed. In addition, this Pilot project is consistent with goals within our organization, especially our Leaders of the Land Sustainability Series, and that is to work together to provide support for funding of highly effective and innovative approaches to achieve both successful farming operations and improvements in water quality.

If this Pilot project is funded, it will expand a current effort in Marathon County to a 25,000 acre watershed to put in place a community supported effort to greatly reduce phosphorus runoff. In addition, if this project is fully funded and successful, it can put in place a model to be used not only across Marathon County but across Wisconsin to address the most severely impaired watersheds in the State.

Marathon County Farm Bureau has been a supportive of innovative opportunities to provide incentive payments for superior farming systems. In fact, some of our members are in the Fenwood and are early cooperators of this pilot. We need these systems in place or watersheds like the Fenwood, will continue to miss phosphorus reduction goals, leaving many of our waters continually on the state's impaired list.

An innovative pilot program in Marathon County's Fenwood Creek watershed is reducing phosphorus and sediment runoff between 60-90% per farm by aligning incentives to farmers with outcome based measurable results.

Unlike current cost-share payments which are given to farmers for with often unknown levels of implementation, payments under the Fenwood Creek pilot are performance-based. Under the program, farms that reach superior levels of phosphorus reduction receive higher per-acre incentive payments. Annual payments range from $20 to $40 per acre for the first three years, followed by half-payments during for the final three-year maintenance phase.

Expanding this pilot project throughout the watershed would give Wisconsin vital information about the efficacy of scaling these efforts in other parts of the state as well as a tool locally to try something new, innovative with broad support.

Sincerely,

Bill Mueller
Marathon County Farm Bureau President

cc: Wisconsin Farm Bureau 1241 John Q Hammons Drive, STE 201, Madison, WI 53717
Paul Daigle-Marathon County Conservation, Planning and Zoning Department

Wisconsin Land+Water Conservation Association

121 S. Pinckney Street, Suite 420 · Madison, Wisconsin 53703
(608) 441-2677 · Fax: (608) 441-2676 · wisconsinlandwater.org

February 23, 2022
Senate Committee on Natural Resources and Energy
Submitted Testimony in Support of Senate Bill 968
Matt Krueger, Executive Director

Thank you, Chairman Cowles and Committee members, for the opportunity to speak today in support of SB 968. WI Land+Water's members are 450 county land conservation committee members and 370 county conservation department staff in all counties of the state. Our members provide technical support and trusted advice to agricultural producers and private landowners as they help them achieve their land management objectives, while meeting baseline conservation standards at the same time.

The Fenwood Creek watershed makes up a roughly 39 square mile land area that drains into the Big Eau Pleine Reservoir, and eventually, into the Wisconsin River. Though it is located in western Marathon County, there are a number of issues in the Fenwood Creek watershed that are common to many counties and watersheds around the state.

Many—if not all—counties contain agricultural areas from which excess phosphorus and sediment run off, and pollute downstream lakes and rivers. In some cases, these excess nutrients and sediment acts as an unwanted fertilizer in waterways, causing algae blooms that can decrease property values and cause fish kills. These polluted lakes and rivers are considered "impaired," or not meeting water quality standards set by the Department of Natural Resources, and there are a growing number of them across the state.

For years, our approach to polluted runoff challenges has been to apply conservation practices to specific resources concerns on the land, with county conservation staff playing an essential role in assisting landowners with implementation. This system has its merits, and without it, we would be in a far worse-off place—but it also has its limits. A major limitation is that the agricultural conservation standards that these conservation practices were developed to meet are only baseline expectations. Implementation of them certainly helps water quality, but it will not help improve water quality on the scale we need to see to address downstream water quality concerns.

This challenge is very apparent in the Fenwood Creek watershed, and that is why this bill is innovative, and worthy of support. Producers are compensated for superior management and farming systems that go beyond basic agricultural standards, and their compensation is based upon showing results. The less phosphorus and sediment that leave a farm field (and stay out of a lake or river in the process), the more compensation that producer receives. It is very straightforward, and it is likely to foster greater adoption by agricultural producers in the watershed than our traditional approach, particularly as farmers there are already very engaged in land stewardship, and peer-to-peer learning.

As conversations around the state and in this building over the past several years have demonstrated, we face growing concerns over water quality, and we are searching for new approaches. The approach proposed in this bill is one that, if successful, will potentially provide us a new and valuable tool in ensuring our farms remain profitable and well-managed, and water quality is protected at the same time. I encourage you to support SB 968. Thank you.

Wisconsin Farmers Union

UNITED TO GROW FAMILY AGRICULTURE

February 23, 2022

Senator Kathy Bernier
Room 319 South - State Capitol
Madison, WI 53707

Dear Senator Bernier:

We are writing on behalf of the Marathon County Farmers Union and the Wisconsin Farmers Union to inform you and the Wisconsin Legislature of our support of the Senate Bill (SB968) which will provide funding for the Fenwood Creek Pilot Watershed Project. We ask for swift action and approval of funding for this pilot project. The provisions in this bill are important because they support outcome-based practices with a proven record of success in reducing phosphorus and sediment in an impaired watershed.

Wisconsin Farmers Union (WFU) is a state-wide farm organization, with farmers representing all areas of the state and all types of agriculture in our membership. The Marathon County Farmers Union is the local chapter of WFU with membership across the county. We have a strong commitment to policy that assists farmers in implementing conservation measures. The Fenwood Creek Pilot project is consistent with our goals to see funding to support highly effective and innovative approaches to achieve both successful farming operations and improvements in water quality.

Funding for the Pilot will expand a current Marathon County effort to a 25,000-acre watershed to greatly reduce phosphorus runoff. We see this as an important model not only for Marathon County but an important template to address the most severely impaired watersheds in the state. Reducing agricultural runoff is critical to the health of Wisconsin's waterways. Less than 37% of the cropland in the state has a nutrient management plan (NMP) in place, one of the state's primary tools for reducing cropland runoff. Of the NMPs in place, in phosphorus impaired watersheds like the Fenwood, few have a long-term impact on phosphorus reduction, causing the local watersheds and Wisconsin to miss phosphorus reduction goals, leaving many of our waters continually on the state's impaired list. Current efforts in Fenwood Creek are showing outcomes of 60-90% reduction in phosphorus and sediment runoff per farm by aligning incentives to farmers with outcome based measurable results.

Unlike current cost-share payments which are given to farmers with often unknown levels of implementation, payments under the Fenwood Creek pilot are performance-based. This is the critical feature in this work. Under the program, farms that reach superior levels of phosphorus reduction receive higher per-acre incentive payments. Annual payments range from $20 to $40 per acre for the first three years, followed by half-payments during for the final three-year maintenance phase. Expanding this pilot project throughout the watershed would give Wisconsin vital information about the efficacy of scaling these efforts in other parts of the state as well as a tool locally to try something new, innovative with broad support.

Sincerely,

Mary A. Kluz
President, Marathon County Farmers Union

Rick Adamski
Rick Adamski
President, Wisconsin Farmers Union

Cc: Paul Daigle-Marathon County Conservation, Planning and Zoning Department