

Eau Claire County
AG ORDINANCE REVIEW SPECIAL COMMITTEE MINUTES

Tuesday, March 12, 2019 • 1:00 p.m.
Agriculture & Resource Center • 227 – 1st Street West • Room AG103
Altoona, Wisconsin

Members Present: Gary Gibson, Tami Schraufnagel (County Board member alternate), Tammy Smith-Schroeder, Derrick Nelson, Ed Gorell, Steve Strey, Roland Fischer, Andy Ferguson (joined via telephone/internet connection), Eleanor Wolf, Paul La Liberte, Jody Wilhelm, Mark Zuber, Dan Zook

Members Absent: Robin Leary, Kate Beaton, Todd Meyer, Cynthia Anderegg, Jon Nicolet (citizen member alternate)

Staff Present: Greg Leonard, Amanda Peters (Land Conservation); Matt Steinbach (City/County Health); Joseph Malual, Mark Hagedorn (UW-Extension); Rod Eslinger (Planning & Development)

Others Present: Bev Stelljes, Nancy Coffey, Libby Stupak

1. Call to Order

Chair Gibson called the meeting to order at 1:00 pm.

2. Confirmation of Compliance with Open Meetings Law

Gibson confirmed compliance with the open meetings law.

3. Public Input Session (15 minutes maximum) – Discussion

Libby Stupak commented on a recent Wisconsin State Journal article about manure spreading in Kewaunee County, that proximity to manure storages increases the likelihood of well contamination, and she encourages stronger animal waste storage ordinance requiring impermeable linings, address excessive spreading near manure pits, and require the pits hold the 100 year-24 hour storm. Bev Stelljes questioned how many livestock facilities exist in the county between 500 and 1,000 animal units.

4. Approve Minutes from February 26, 2019 meeting – Discussion/Action

ACTION: Motion by Gorell to approve the minutes of the February 26, 2019 meeting as presented. Motion carried, 12-0-0.

5. Review of Moratorium process and Special Committee's duties – Discussion/Action

Chair Gibson and Leonard reviewed the following items:

a. Moratorium process for 2019

The timeline and remaining steps for LCC and Planning & Development Committee review, Public Hearing and County Board approval was reviewed.

b. Section 8, Action and Review During Moratorium

The items contained within Section 8 of the moratorium were reviewed.

6. Animal Waste Storage Ordinance – Discussion/Action

a. Overview of existing ordinance

Leonard provided an overview of the previous meeting's questions in relation to NR-151. Peters discussed farmer and manure applicator responsibilities when a manure spill occurs. Peters and Leonard provided an overview of and concerns staff have with the existing Animal Waste Storage Ordinance. (Ferguson asked to be excused from the meeting.)

b. Evaluation of existing ordinance

The committee was broken into 3 smaller groups. Each group was asked to concentrate on a specific area of the Animal Waste Storage Ordinance.

- Large group consensus

Leonard led the group on discussion of each specific area of the Animal Waste Storage Ordinance.

Recommendations include support of updating and changing the definition of an idle facility, yet find a way to allow well-constructed facilities to be retained for emergency situations; and incorporating the NRCS 360 Waste Facility Closure standard, and the NRCS 634 Waste Transfer standard.

ACTION: Motion by Gibson to incorporate the NRCS 634 Waste Transfer Standard into the ordinance update. Motion carried, 12-0-0.

Discussion on locating a manure pit in the floodplain. This is addressed in NRCS 313 Waste Storage Facility standard and the Shoreland/ Floodplain ordinances. Discussion on the storm events used in the design of a manure pit. The referenced table in NR-243 is not used in the NRCS 313 standard. Current NRCS storm data is used, which has higher precipitation numbers than NR-243. Peters led a discussion on design criteria for manure storage and required margins of safety to prevent overflow. Livestock facilities which are CAFO permitted would follow these same standards. Discussion on requiring as-built construction plans, and a certificate of use, which may be redundant as a nutrient management plan (590) is already required to use a manure pit. Discussion on requiring proof of rental agreements for rented land included in a nutrient management plan; the group would prefer to see "proof of land availability". Zook would prefer that the ordinance does not include incorporated areas within the county, but allow the County to provide professional opinions if a municipality requests help.

Recommendation that the LCC adopts updates to future NRCS standards that are incorporated in the Animal Waste Storage Ordinance, and not implement immediate adoption. Recommendation to allow double fees for after the fact permits. Submittal of partial nutrient management is acceptable if linked to an operational/certificate of use permit. Discussion on requiring inspection of pit with certificate of use. Recommendation to include inspection log in the certificate of use, but do not codify.

7. Set Future meetings and items for discussion – Discussion/Action
March 26, 2019 – Livestock Siting and CAFO
8. Adjourn
Gibson adjourned the meeting at 3:50 pm.

Respectfully submitted,



Greg Leonard
Clerk, Ag Ordinance Review Special Committee