

AG ORDINANCE REVIEW SPECIAL COMMITTEE

Recommendations

Members: Gary Gibson, Tami Smith-Schroeder, Robin Leary, Derrick Nelson, Ed Gorell, Steve Strey, Roland Fischer, Andy Ferguson, Eleanor Wolf, Paul La Liberte, Jody Wilhelm, Mark Zuber, Dane Zook, Kate Beaton, Todd Meyer, Cynthia Anderegg

Alternates: Tami Schraufnagel, Jon Nicolet

The Ag Ordinance Review Special Committee (AORSC) was appointed by County Board Chair Nick Smiar to proceed with the action items contained within the Large-Scale Livestock Moratorium adopted by the Eau Claire County Board in October of 2018.

The AORSC first met in November 2018 and took tours of local farms. Since the initial meeting, the AORSC has met eight additional times. The AORSC meetings have included educational and background presentations on:

- Local zoning, erosion control, stormwater and shoreland protection ordinances
- Wisconsin's Ag Performance Standards and Prohibitions (NR-151)
- Eau Claire County's Animal Waste Storage Ordinance
- Eau Claire County's State of the Groundwater Report
- Wisconsin's Concentrated Animal Feeding Operations (CAFO) regulations (NR-243)
- Wisconsin's Livestock Facility Siting regulations (ATCP-51)

These presentations are recorded and available at:

<https://www.co.eau-claire.wi.us/government/boards-commissions-and-councils/ag-ordinance-review-committee>

Following the educational and background information process, the AORSC began a comprehensive discussion concerning the above outlined topics. The following is a summary of the action items and recommendations made by the Ag Ordinance Review Special Committee:

ACTION: Motion by Smith-Schroeder/Zuber to recommend incorporation of NR-151 Ag Performance Standards and Prohibitions into County Code. Discussion to clarify how NR-151 would be adopted, such as an operations ordinance, part of livestock siting, or part of the animal waste storage ordinance. The motion is to recommend incorporating NR-151 into County Code only, but the placement and type of ordinance will be part of future meeting recommendations. Motion carried, 9-1-0.

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

Consensus by the whole group: in support of updating and changing the definition of "idle facility" in the ordinance, while allowing well-constructed facilities to be retained for emergency situations.

Consensus by the whole group: In support of incorporating the NRCS 360 Waste Facility Closure standard into the ordinance.

Consensus by the whole group: "written proof of land availability" should accompany a Nutrient Management Plan when stored manure will be applied on land not owned by the farm operator.

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Zook: the manure storage ordinance should not apply in the incorporated areas of Eau Claire County.

Consensus by the whole group: future updates to NRCS standards referenced in the ordinance are adopted with LCC approval.

Consensus by the whole group: allow double fees for after the fact permits.

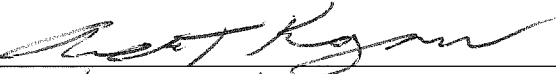
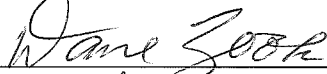





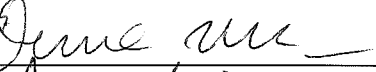
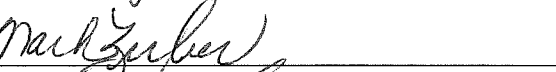
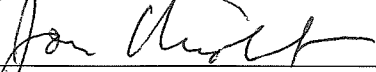
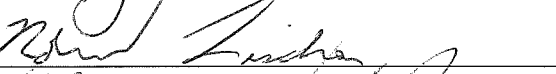

Consensus by the whole group: submittal of a partial nutrient management plan is acceptable during initial manure storage construction permit issuance if a certificate of use will later be granted.

Consensus by the whole group: incorporate a Certificate of Use into the ordinance.

ACTION: Motion by Ed Gorell to recommend not adopting livestock siting into county ordinances. Motion carried, 12-0-0.

ACTION: Motion by Mark Zuber to approve the above action items, consensuses, and recommendations. Motion carried, 12-0-0.

Signatures:

Signed this 26th day of March, 2019.