

Members Present: Todd Berweger, George Bussey, Riley Jolma, Richard Ketring, Charles Ortman, Caryl Peck, Todd Rothe, and Naomi Tillison

Members Absent: Cortney Remacle

Others Present: Jason Fischbach, Tom Fratt, Amy Tromberg, Josh Rowley, and Brittany Goudos-Weisbecker

Call to Order: Ortman called the meeting to order at 12:09pm

Approval of Minutes from 10-25-2017

Ketring moved to approve the minutes with from the October 25, 2017 meeting. Bussey seconded the motion. Motion carried.

Agenda Items

1. Revised Scope of Work, Timeline, and Meeting Schedule

- Next Land Conservation Committee (LCC) meeting set for 12-15-2017.

2. Written Public Comments Received Since 10-25-2017

- Tillison handed out written comment that she made regarding Manure Irrigation.
- Fratt did not receive any other written comments.

3. Recommendations of the Land Conservation Committee (LCC) from 11-3-2017

- The LCC met on 11-3-2017 and were given the draft motions made at these meetings. All permit forms have been drafted, just need the fee schedule and determination notice. Still have a few questions for Corp council.
- Fratt has concerns about how these ordinances could be applied across the diversity of agriculture that we have across the county.
- Discussion on who needs nutrient management plan and cost sharing.
- Fischbach reported that there are three permits in the works: manure storage permit, stacking permit, and manure irrigation permit.
- Discussion about requiring a permit and having technical assistance from the LWCD and/or permits in the ordinance.
- Detailed review of the unconfined manure stacking permit.
- Fischbach summarized discussion to have nutrient management plan for the field to which manure will be applied vs. a plan for the whole farm.
- Permit application for temporary manure stacking will require nutrient management plan for the field to which the manure will be applied. Motion made but no vote due to not being on the agenda.
- Jolma arrived at 12:58pm.
- Fratt reported lots of discussion at LCC meeting but no decisions made.

4. Manure Irrigation / Manure Aerial Spraying Permit Conditions

- Tillison requested revisiting this topic and shared her written comments.

- Fischbach put the manure irrigation permit on the screen to look at the clarifications of two emergency applications of manure with irrigation equipment on page 3 to cover some of the questions from last time. One is for a catastrophic failure in progress the other is for an impending overflow, either way they have to call the DNR and the LWCD shall be contacted.
- Equipment standards are also on page 3, so as long as the equipment is operating under these conditions.
- Where to put the technical standards? Permit or Ordinance? Fratt put the permit into ordinance format and it is 25 pages. Added in definitions in the ordinance for Manure Spray Irrigation, Nutrient Management Plan, Setback Distance and Wetted Perimeter from permit language. Reviewed ordinance and language, okay with permit and ordinance revisions.
- Rowley commented that the state might be passing a 5 year permit length for landowners, instead of a 1 year permit length.
- Last meeting, 10-25-2017, passed motions regarding approving the draft Application for Manure Spray Irrigation Use Permit with revisions and to recommend LWCD staff take care of putting recommendations into ordinance format and permit format.

5. Large-Scale CAFO Operations Ordinance and Other Options for Managing Large CAFOs

- Discussion regarding Bayfield County ordinance, would be taken to court, how to protect our community in small ways and big ways.
- The 1,000 animal units is the CAFO threshold, where it becomes industrial, but what is the industrial scale?
- Tillison commented that for this to apply on the Bad River Reservation it would need to be passed through the tribal council and also adhere to their water quality standards.
- Ortman commented that the Bayfield County ordinance was a fit for that community, no one would suffer for it. If it stands in court no local affected. We have a different thing here in Ashland County, this isn't easy for a farmer to fill it out, and not very specific. We need to protect the water. He would like a more scientific document.
- Berweger idea reiterated, show a track record by working here in Ashland County for 5 years, have a history and proof of good management.
- Jolma doesn't like the Bayfield County ordinance for here. Someday his farm plan would be just slightly over 1,000 animal units. If that ordinance went into effect where his farm is then the two options would be to operate at 999 animal units or spend money on litigation, so at some point that ordinance would be decided on by litigation. Litigation is a risk to the county.
- Bussey likes the Bayfield County ordinance if you can increase to 2,000 animal units, concern is for impacts on the surrounding area.
- There is no specific number for when a farm pollutes. What is large scale industrial agriculture?

- How to manage this equally and fairly, not discourage farming, want to encourage sustainable farming that protects water and human health.
- Fratt stated that we need a law or ordinance that fits everyone.
- Ortman commented it doesn't matter the number of animals, don't pollute the air and don't pollute the water. Wants to create a document that is scientifically defensible on best management practices that would succeed in court.
- Fischbach replied if you really want to create a document that is based on science to mitigate the impact of livestock operations need an in-depth study exactly of the conditions in Ashland County and identify risk factors, look at existing regulations and modify if needed, that's a huge process. Bayfield County realized that and tried a small piece of this to challenge the state and they are still tied up in court. Given the restrictions the state puts on the county, it's questionable legally if the Bayfield County ordinance will stand up in court, but it gives the county board an option to say No to a CAFO sized operation. It doesn't regulate as there are no standards or conditions, but gives the option to say no initially.
- It is our responsibility to do something. Options discussed above or do we take the time to craft something that actually is the best fit and benefits Ashland County.
- Tool kit idea, to own and operate for 5 years and put in place NR 243 and NR 151 to regulate.
- Ortman, doesn't like it based on personalities, wants it based on science.

6. Discussion and Possible Recommendations to the Land Conservation Committee on Agricultural Ordinance Options

- Move to next meeting.

7. Next Steps

- Continue discussion, and list pros and cons of options.

Next Meeting Date: Thursday, January 25, 2018 from 12pm to 2pm at the Land and Water Conservation Department office on Sanborn Ave

Adjourn: Meeting adjourned by Ortman at 2:19pm

Respectfully submitted by Amy Tromberg
Office Assistant, UW-Extension Ashland County