

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

Members Absent: Cortney Remacle and Todd Rothe

Others Present: Jason Fischbach, Tom Fratt, Amy Tromberg, Sara Chase reporter with the Ashland Daily Press, Bob Dunne, Sonnie Dunne, Brittany Goudos-Weisbecker, Mike Pero, Josh Rowley, and Cyndi Zach

Call to Order: Ortman called the meeting to order at 12:05pm

Approval of [Minutes from 8-10-2017](#)

Peck moved to approve the minutes with corrections as handed out today from the August 10, 2017 meeting. Ketring seconded the motion. Motion carried.

Introductions: Ashland County Land and Water Conservation Department staff Mike Pero, Civil Engineering Technician, and Brittany Goudos-Weisbecker, Part Time GIS Technician, were introduced.

Agenda Items

1. [Revised Scope of Work, Timeline, and Meeting Schedule](#)

- Fratt handed out revised sheet from last meeting to extend the timeline.
- Land Conservation Committee (LCC) meeting set for Friday, September 29th.

2. [Written Public Comments Received Since 8-10-2017](#)

- Fratt handed out copies of two written comments received from attendees of our last meeting. Also handed out summary notes Tromberg took from last meetings verbal comments.
- Discussion about posting public comments to the county website, now have a body of comments which we can post and can accept more and post again in the future. Part of housekeeping will be closing public comments at the end of this work group.
- Bussey moved to [post all public comments](#) received by this group on the website for as long as this group is functioning, in a timely fashion after the meeting in which they are handed out. Ketring seconded the motion. Motion carried.

3. [Recommendations of the Land Conservation Committee from 8-25-2017](#)

- Ortman shared that the LCC decided to take these recommendations home and read them, then they will be ready to vote on them at their next meeting.
- Fratt handed out a DRAFT document titled Agricultural Performance Standards and Animal Waste Storage Ordinance. He has done a lot of work on this since the last handout filling in blanks and adding variances and appeals. Fratt inserted highlighted text under Manure Storage and Transfer Permits that temporary unconfined manure piles need a permit, so that they do not become permanent manure structures. After reviewing information from DATCP and DNR, manure

spraying is allowed under NR 151 manure storage ordinance, so inserted highlighted text, understanding that it could be removed, that a manure spray irrigation permit is required.

- The LCC was given this draft last Friday and they have one month to read and review before their next meeting on 9/29. This draft version also went to the DNR on Friday for review and to Ashland County Corp counsel for review yesterday.

4. Manure Irrigation / Manure Aerial Spraying Options – prohibition and/or conditional use

- Today's goals: Decision on manure irrigation. Decision on unconfined manure stacking. Decision on operations ordinance. Decision on siting/zoning.
- Fischbach stated that there are three options for manure irrigation: no action; ban manure irrigation; or require a permit with regulations (wind speed, setbacks, soil conditions, night time restrictions).
- Fischbach shared PowerPoint slides including from the WI Manure Irrigation Workgroup Report Figure 2b-2. Manure application equipment.
- Tillison asked what is currently happening in Ashland County? Fischbach replied no aerial spraying as far as they know, Town of Mason in Bayfield County has a gun for spraying septic (human waste).
- Discussed setbacks, treated waste, droplet size, and air and water quality.
- Reviewed different types of manure spreading including traveling gun, drop nozzle, big spray gun, as well as, worst case scenario pits overflowing.
- Systems are expensive and technology will be ever changing. Peck added that you can hire out manure spreading, wonder if they could get a permit in that short time.
- Fischbach reiterated that the WI Manure Irrigation Workgroup report regulated with particle size, setbacks and pressure.
- Could use language from draft regulations in Kewaunee County.
- Peck asked about how to check wind speed, two systems were described and noted that there would be some minor expense for monitoring this.
- Fratt would like to keep this as a permitting process, to have standards and specifications. If you want to apply manure, get a permit so you know what the conditions are and follow them.
- Some outreach would be required to make sure the new rules are understood.
- Ketring moved to adopt the recommendations of the Wisconsin Manure Irrigation Workgroup Report, have regulated use with restrictions related to pressure, droplet size and setbacks, and require anyone that wants to spread manure in Ashland County to pre-apply for an applicators permit for aerial application. Tillison seconded the motion. Motion carried.

Unconfined Manure Stacking

- Fratt reported on Unconfined Manure Stacking. Options: right now under NR 151 temporary manure piles are not allowed within a WQMA water quality management area. Other counties have taken that to say if that practice occurs on other parts of the farm it should meet certain criteria such as slope, amounts, longevity, soil type etc. A needed practice in temporary situations, need a place to stack the manure

temporarily until you can put it on the field. Other counties have set up standards with some restrictions for if you are going to do this.

- Jolma stated that it would basically designate an area on the farm that would allow for temporary unconfirmed manure stacking.
- Fischbach read the definition in NR 151 of an “Unconfined manure pile” which “means a quantity of manure that is at least 175 ft³ in volume and which covers the ground surface to a depth of at least 2 inches and is not confined within a manure storage facility, livestock housing facility or barnyard runoff control facility or covered or contained in a manner that prevents storm water access and direct runoff to surface water or leaching of pollutants to groundwater.”
- Fratt added that one of our main charges is to manage agriculture in a way that minimizes surface and ground water contamination. Because this is a widespread practice, the risk of contamination from those many unconfined piles could be substantial.
- Ortman asked what does a person with five horses do with a manure pile? They have a compost pile, and hopefully they put it on their garden once a year.
- Cannot be banned. But how would it play out, how would regulation be enforced?
- Ketring would like to see temporary manure storage be permitted.
- Fischbach shared that the Bayfield County ordinance says if the storage facility has the capacity to storage 5,000 cubic feet then they have to get a permit for that facility, if not a storage structure then you need a permit for a temporary pile.
- Berweger asked what about saying you have to haul these piles twice a year otherwise it is not a temporary pile. Fratt said there are some risk mitigations for better or worse sites.
- Ortman summarized that volumes of temporary unconfined manure stacking would need to be regulated by location, size and duration/frequency of which they must be cleaned. Due to time tabled and will continue at next meeting.

Zoning/Siting

- Zoning/Siting Options: Take no action; wait for amended ATCP 51; adopt ATCP 51 as is county-wide; or apply ATCP 51 or parts of it according to zoning district overlays.
- Fischbach explained that the Fields, Waters, and Woods Agriculture Enterprise Area (AEA) is an already defined area and in the Farmland Preservation map and Comprehensive Plan. It includes dairy farms along WI Highway 112, not the dairy farms outside of Mellen or north. Using this area as a zoning district overlay would be easier then starting from starch.
- Some options to protect farmers from housing development could be to have less stringent setbacks, have less stringent or no odor standard, and/or have a fixed reference point which would be the closest house when the ordinance was passed.
- Ortman asked if it would be an agricultural zone? Rowley replied that it would just be an overlay, it is unrestricted right now. Would need public hearings in every township it would apply to and the county would have public hearing and input. Taking an unrestricted district and restricting development.

- Rowley asked what restrictions do you want the overlay to include? Fischbach replied we could have two zoning overlay districts, the AEA as defined already and within that a less restrictive siting law for farmers. Then say outside the AEA farmers would have more restrictive rules than within the AEA.
- In that overlay district, could say don't adopt any version of the siting law or pick and choose which of the ATCP 51 you want to apply, if siting law then only applies to over 500 animal units.
- Ketring wants to make sure we are working toward fixing the problems not slamming a door shut.
- Fischbach said that under NR 151 if you are forced to make changes you have to be provided cost share to do it, but if you adopt the siting law in order to expand over 500 animal units you have to come into full compliance at your own expense.
- So you could apply ATCP 51 in the whole county (farms would need to comply of their own expense) and then in the AEA have less restrictive setbacks or odor.

5. **Continued Discussion of Bayfield County Large-Scale CAFO Operations Ordinance and Other Options for Managing Large CAFOs**

- Move to next meeting.

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

- Move to next meeting.

7. **Next Steps**

- Have a decision making matrix for next meeting.

Next Meeting Date: Thursday, October 5th, from 12pm to 2pm at the Land and Water Conservation Department office on Sanborn Ave

Adjourn: Meeting adjourned by Ortman at 2:18pm

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