

**Ashland County Agricultural Ordinance Advisory Work Group  
Outline of Ordinance Options**

- 1. Take no action (status quo)**
  - a. NR 151 is enforced by the DNR
  - b. NR 243 is implemented by the State
  - c. Roughly \$50,000 of state cost-share dollars per year
  - d. Voluntary compliance or compliance as a means to access State and Federal cost-share programs.
  
- 2. Adopt some or all of the NR 151 performance standards and prohibitions by local ordinance**
  - a. Erosion standard – NR 151.02
  - b. Tillage setback – NR 151.03
  - c. Phosphorus index – NR 151.04
  - d. Manure storage (local permit) – 151.05
  - e. Process wastewater handling – 151.055
  - f. Clean water diversion (barnyard) – 151.06
  - g. Nutrient management plans - 151.07
  - h. Manure management prohibitions – 151.08
  
- 3. Adopt the Livestock Facility Siting Law (ATCP 51) for operations >500 animal units**
  - a. Setbacks – ATCP 51.12
  - b. Odor – ATCP 51.14
  - c. Nutrient management plan – ATCP 51.16
  - d. Manure storage – ATCP 51.18
  - e. Runoff management – ATCP 51.20
  
- 4. NR 243 (CAFO Permit) already applies in Ashland County (implemented by the DNR)**
  
- 5. Use Zoning to Limit Where CAFOs can be Located in Ashland County**
  
- 6. Adopt additional ordinances to address gaps in existing regulations, if any.**
  - a. Adopt the Bayfield County Operations Ordinance**
    - i. Require CAFOs to get a permit from Ashland County
    - ii. Permit is contingent on demonstrating no pollution or nuisance will be caused by the operations of the CAFO
  - b. Adopt additional restrictions deemed “necessary to achieve water quality standards” per Wis. Stat. 92.15**
    - i. Requires findings of fact and scientific justification
    - ii. Requires DNR/DATCP approval
  - c. Adopt more stringent standards necessary to protect public health and safety per ATCP 51.10 (3)**
    - i. Requires findings of fact and scientific justification
  - d. Adopt more stringent standards necessary to protect public health and safety by local referendum per Wis. Stat. 92.11**
    - i. Scientific findings of fact required
    - ii. Only applies in municipalities where approved by local referendum
    - iii. No DNR/DATCP approval