

FACTORY FARMS & OPERATIONS ORDINANCES

WHAT IS A FACTORY FARM?

Factory farms house thousands of cows, pigs and turkeys or millions of chickens. Millions of gallons of untreated waste are spread on thousands of acres.

WHAT IS AN OPERATIONS ORDINANCE?

A local ordinance that requires new or expanding factory farms to develop plans that address community concerns about manure, air pollution, road damage, fire risk, farm gas by-products, carcass disposal, and more. Owners pay for enforcement of their plans, instead of taxpayers, and post a bond to cover clean-up, if they go out of business.



WHO NEEDS OPERATIONS ORDINANCES?

Towns that want to protect their local community's health and property from the adverse impacts of factory farms, such as the avian flu now infecting dairy herds and millions of poultry nationwide. Operations ordinances are not a ban.

WHY IS THERE AN EFFORT TO PREEMPT THEM?

Bi-partisan political support of factory farms and farm gas is fueling massive new expansions across Wisconsin. Factory farms benefit from a lack of oversight. In response, communities spanning the political spectrum are resisting expansion and passing ordinances to protect health and property rights.

DOESN'T THE DNR REGULATE FACTORY FARMS?

Regulations from Wisconsin's Department of Natural Resources (DNR) cover only the impact of livestock waste on water. They do not cover air pollution, biosecurity, carcass disposal, road damage or other issues. The DNR is short-staffed. There are a few handfuls of employees overseeing 342 factory farms across the state. Inspections are done only once every five years, so factory farm owners are expected to self-report manure spills. Sixty factory farms are currently operating on expired permits.

DOESN'T THE DNR LIMIT THE SIZE OF FACTORY FARMS?

No. In beautiful Door County, for instance, the DNR is allowing a dairy to have 7,000 cows and spread 95 million gallons of liquid waste per year over more than 9,200 acres.

COULD THE DNR LOSE ALL AUTHORITY OVER FACTORY FARMS?

Yes. Wisconsin Manufacturers and Commerce (WMC) filed a May 2023 lawsuit in Calumet County Circuit Court challenging the DNR's authority. Judge Reed ruled the DNR has authority, but WMC appealed that decision in March 2024. This makes local control more important than ever.

DO TOWNS HAVE AUTHORITY TO ENACT LOCAL ORDINANCES?

Yes. Operations ordinances draw authority from powers granted under the Wisconsin Constitution and Wisconsin Statutes. At a March 2024 Wisconsin Senate hearing, factory farm lobbyists testified multiple times that operations ordinances are legal and they want a state law that preempts them.

WHAT ELSE IS BEING DONE TO STOP LOCAL CONTROL OF FACTORY FARMS?

The factory farm industry has one goal – no regulation. In addition to legislative preemption efforts and challenging the DNR's authority, the WMC uses lawsuits to intimidate local officials who pass legal ordinances.

OPERATIONS ORDINANCE VS WISCONSIN LAWS & REGULATIONS

	Existing Laws & Regulations	Operations Ordinance
Enforcement	Taxpayers pay costs, inspections every 5 years	Permittee pays all costs for regular enforcement
Manure storage plan	Permittee self-reporting	Permittee pays all costs for regular enforcement
Manure spreading plan	Permittee self-reporting	Permittee pays all costs for regular enforcement
Road use plan	Not required	Required
Air pollution plan	Not required	Required
Water use plan	Not required	Required
Infectious disease plan	Not required	Required
Carcass disposal plan	Not required	Required
Biosecurity plan	Not required	Required
Fire response plan	Not required	Required
Financial bond	Not required	Required
Property value analysis	Not required	Required

CURRENT STATE LAWS give local communities almost no control over the waste, air pollution and carcasses huge factories produce. Without an operations ordinance, their impact on roads, fire departments, wells, health and local economies are unknown.

HOW CAN I LEARN MORE?

Get in touch with Sustain Rural Wisconsin Network: www.sustainruralwisconsin.org