

ADDRESSING THE IMPACT OF LIVESTOCK CONCENTRATION

In 2010, 2015, and 2019, the Department of Agriculture, Trade, and Consumer Protection (DATCP) assembled teams of technical experts to recommend updates to the technical standards on odor, setbacks, engineering, and nutrient management for the state's large livestock facilities, including Concentrated Animal Feeding Operations (CAFO's). The Livestock Siting Technical Committees' recommendations reflect the best available science and practice, and Wisconsin Farmers Union urges DATCP to adopt the recommendations of the most recent committee.

The DATCP technical committees did not address economic or social impacts of large livestock facilities. Wisconsin Farmers Union urges DATCP to consider the social and economic impacts of livestock operations when reviewing and adjusting the ATCP 51 rules. More consideration must be made to the effects of unchecked expansion of very large livestock operations. If these necessary changes cannot be made within the limitations of the livestock siting law, Wisconsin Farmers Union urges the state legislature to revisit the legislation to better address the needs of farmers, rural communities, and municipalities.

Wisconsin Farmers Union supports lifting the preemption of local control of siting of large livestock operations. Wisconsin Farmers Union supports the following changes to the Livestock Siting Rule:

1. Increased setbacks.
2. Require stricter engineering standards for controlling leachate.
3. Require bonding of CAFOs so local communities are not burdened if bankruptcy or disaster cleanup occurs.
4. Increased fees to cover all real expenses involved with processing, consulting, and investigation of the permit application to be paid by the applicant.
5. Add air emission standards that protect health, safety, and welfare of citizens.
6. Require financial responsibility for polluted wells, road repairs, and damage created by CAFO operations.
7. Assure local governments' rights to develop ordinances related to CAFO operation including but not limited to manure spray irrigation and other air pollution controls, biosecurity, infectious disease and carcass disposal, fire safety, water use, road and infrastructure impacts, and reasonable financial bonding for closure or disaster remediation.

Wisconsin Farmers Union urges the legislature to amend the statute to require that the findings of the Technical Committee must be presented in writing to the Board of DATCP, and that the Board must present a scope statement to the Wisconsin Secretary of Agriculture within 90 days, and if DATCP fails to take action on the scope statement within six (6) months, the scope statement must be sent to the Joint Committee for Review of Administrative Rules and scheduled for a public hearing.

Wisconsin Farmers Union recognizes the authority of ATCP 51 to set statewide, minimum standards and procedures for CAFOs but supports lifting the preemption of local control in ATCP 51 and allowing local governments to pass more stringent standards and procedures that are based on reasonable and scientifically defensible findings of fact that clearly show that the standards are needed to protect water and air quality and public health or safety without seeking DATCP or DNR approval.

Wisconsin Farmers Union calls upon DATCP to take steps immediately to remove the fee cap in ATCP 51, relying instead on the existing statutory requirement that any fee imposed by a town or county must be reasonable.

Wisconsin Farmers Union calls upon DATCP to take steps immediately to remove the provision in ATCP 51 that prohibits towns and counties from requiring permitted facilities to provide a bond or other financial assurance to protect taxpayers from a costly cleanup.