

Protect Your Town

Facts About Operations Ordinances

How to Locally Control Concentrated Animal Feeding Operations (CAFO)

Why do towns need a CAFO Operations Ordinance?

Wisconsin towns are the target of global corporate interests who want to **take away local control** over their livestock factories.

Current laws give local communities almost no control over the waste, air pollution and carcasses these huge factories produce. Without an operations ordinance, their impact on roads, wells, health and the economy are unknown.

CAFO Operations Ordinance vs Wisconsin Laws & Regulations		
	Existing Laws & Regulation	Operations Ordinance
Enforcement	Taxpayers pay costs. Inspections only done 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
Air Pollution Controls	Not required	Required
Infectious Disease Plan	Not required	Required
Carcass Disposal plan	Not required	Required
Biosecurity Plan	Not required	Required
Road Plan	Not required	Required
Water Use Plan	Not required	Required
Impact on Property Value Analysis	Not required	Required
Fire Response Plan	Not required	Required
Financial Bond if Factory Closes	Not required	Required

What are Operations Ordinances? Do they ban CAFOs?

Operations ordinances do not ban CAFOs. Instead, if a large livestock factory wants to move in or expand there is an open process in which owners develop plans that address community concerns about manure, air pollution, water usage, carcass disposal, biosecurity, fire protection and road damage.

CAFOs pay for enforcement of their plans. In addition, they must post a bond to cover clean up if they go out of business.

Do we really need to worry about CAFOs coming into our Wisconsin town?

There is nothing hypothetical about attempts to build new and expanded CAFOs in Wisconsin towns. Federal and state governmental policies encourage investors to build bigger and control more and more land to spread millions of gallons of liquid waste made up of raw feces, urine and process water. Powerful lobby groups, like the [Farm Bureau](#), work all through farm country to make sure that there is little to no regulation.

Won't state laws protect us?

State laws do almost nothing. DNR's regulations cover livestock waste but enforcement is based on self-reporting. Inspections are done only once in five years. A factory in St. Croix County spilled 275,000 gallons before a whistleblower turned them in. DNR funding is limited by the legislature - there are only 15 staff to inspect 336 CAFOs.

There is no limit to how big these operations can get. In beautiful Door County, WI the DNR is allowing a dairy to have more than **10,000 animal units** and spread **95 million gallons** of liquid waste over more than **9,200 acres**. That is 40% of a town! A [Kewaunee County dairy](#) spreads manure on more than 16,000 acres in two counties but won't monitor water quality.

For More Information: www.ProtectYourTown.org

State laws do not require CAFOs to submit plans for controlling air pollution even though they run fans 24/7 so the animals don't die from the hydrogen sulfide and ammonia fumes.

[Lobbyists for the CAFOs](#) basically wrote the state's Large Livestock Siting law **stripping nearly all local control**. David Crass, a lawyer who frequently represents owners of livestock factories, brags:

"After all, we wrote the law and are in the best position to tell you what it means...Whereas permitting was previously performed at the local level, Wisconsin has now adopted a streamlined statewide permitting approach..."

DNR may soon lose authority over CAFOs. Wisconsin Manufacturers and Commerce (WMC) filed a May 2023 lawsuit in Calumet County Circuit Court challenging the little authority DNR has. Judge Reed ruled the DNR has authority but WMC appealed that decision in March 2024 continuing to demand the removal of state regulations for CAFOs.

How was the Operations Ordinance developed?

Six neighboring Wisconsin towns - Bone Lake, Eureka, Laketown, Luck, Sterling and Trade Lake - formed a partnership to develop a model operations ordinance. A panel of legal, environmental and engineering experts guided development of the model ordinance that any Wisconsin town can craft to fit their circumstances.

How is the Operations Ordinance structured?

In-depth research on the CAFO industry and a town are the ordinance's foundation. Findings of facts are pulled from the research laying out the need for the ordinance.

Typically, the ordinance is structured with the findings of facts first, followed by multiple sections establishing a town's authority, application process, fees, conditions, etc. One appendix contains the in-depth research about the CAFO industry. A second appendix includes a series of maps laying out the town's conditions such as susceptibility to water pollution and ability to absorb manure. A third appendix includes an application form.

Who pays to review and enforce the plans required by the Operations Ordinance?

Taxpayers do not pay these costs. The permittee pays for the Town to hire third parties, chosen by the town, to review the plans and oversee enforcement.

Do Wisconsin town supervisors have authority to adopt an Operations Ordinance?

The ordinance draws authority from powers granted under the Wisconsin Constitution and Wisconsin Statutes. At a March 2024 Wisconsin Senate hearing, the Wisconsin Farm Bureau testified multiple times that Operations Ordinances are legal and they want them preempted.

Many town supervisors view protecting citizens' health and property values not just a power but a responsibility.

Why is the Wisconsin Chamber using proxies to take legal action against the Town of Eureka?

[Big livestock factory owners](#) oppose any local control over these plants. This lawsuit is just the latest of many attacks they make around the state to intimidate local officials. The law firms of [Bassford Remele](#) and [Fredrikson](#) consider the case to be so important that they are defending Eureka at no cost.

For More Information: www.ProtectYourTown.org