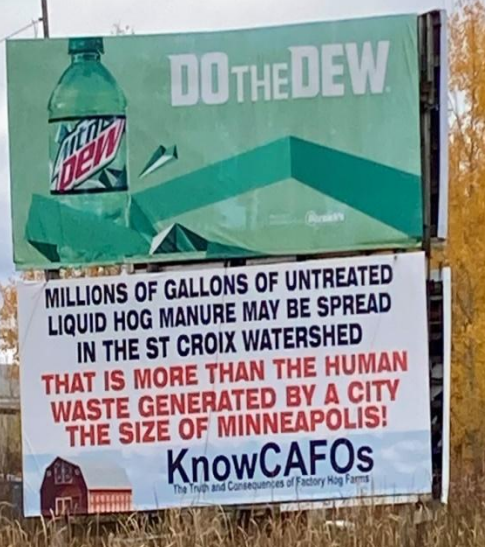


Local Operations Ordinances

Flexible Tool to Address Community Concerns about
Industrial Livestock



Lisa Doerr – Polk County



NEWS

Proposed \$20M CAFO stirs up debate in northern Wisconsin

2019

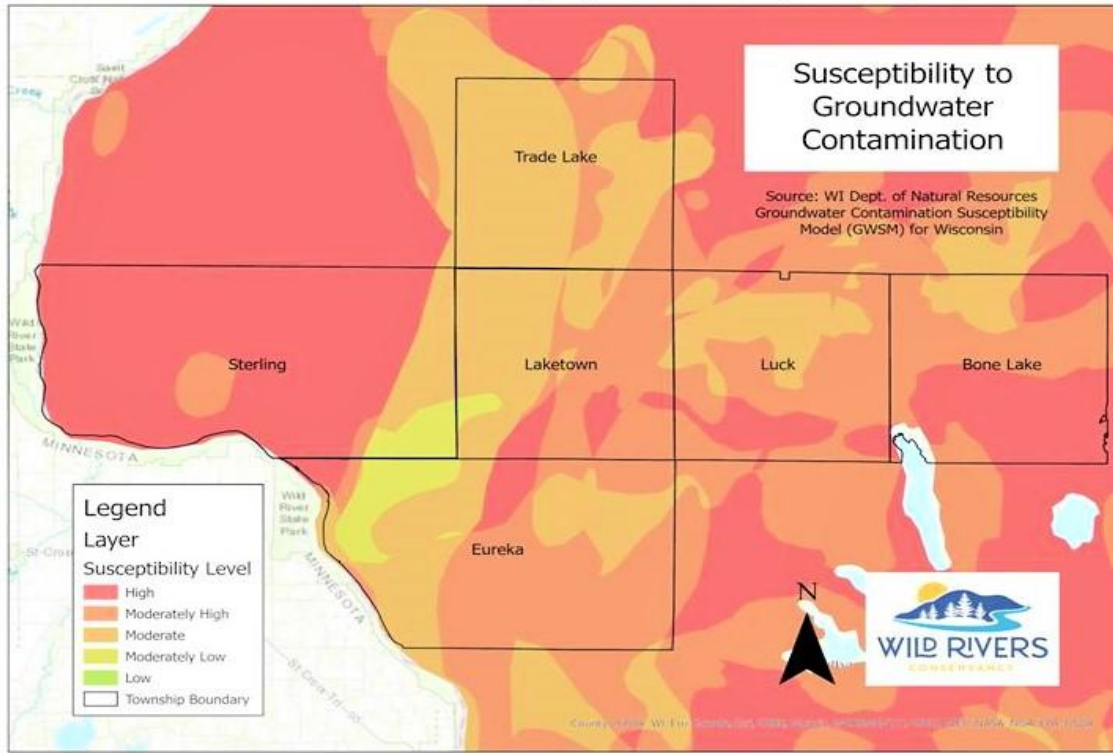
Iowa Investor Group wants farrowing operation with 26,000 pigs.



Concerns & Tools to Address Concerns

Town Partnership

Concentrated Animal Feeding Operations (CAFO) Ordinance



Definitions
Fees
Plans
Conditions
Financial Surety
Penalties

Not a Ban

Not a Siting or Zoning Ordinance

Rural Industrial Development

Global investors in frac sand, data centers and industrial livestock. Same law firms, banks and politicians. Often default and leave communities to sweep up the damage.



Law Firms

- Husch Blackwell
- Micheal Best



Open AI & Oracle Data Center

Wisconsin Dairy Biogas Delinquencies, Defaults & Bankruptcies

Company	Location	Status	Amount
BC Organics	Brown County	Delinquent	\$50.5 million
BC Organics	Brown County	Delinquent	\$50.5 million
NLC Energy	Brown County	Bankrupt	\$77 million
WI RNG North	Oconto County	Default	\$41.6 million
S&S Dairy	Door County	Bankrupt	\$11.8 million

Total
\$231.4 million



Bi-Partisan Support of Factory Farms

Common quotes from Republicans, Democrats



“Critical in meeting the growing demand for animal-based food while promoting animal welfare and environmental sustainability. These facilities are **highly regulated** by the...(EPA), the USDA, and the FDA....CAFOs are also subject to **regular inspections and enforcement** by regulatory agencies, ensuring they comply with regulations and best practices”

May 2023 letter

Republican - Wisconsin Assembly Rep. Magnafici



“Wisconsin’s farmers and food processors produce a diverse range of high-quality products... feeding people locally and *across the world*.... All Wisconsin farms are **required to operate in a way that prevents water pollution**, and large livestock operations must obtain a permit and comply with **detailed specifications** on the storage and application of manure.”

May 2023 letter

Democrat – US Senator Baldwin

Concerns Span Political Spectrum

2024 Election Party Affiliation

Six towns developed Local Ordinance

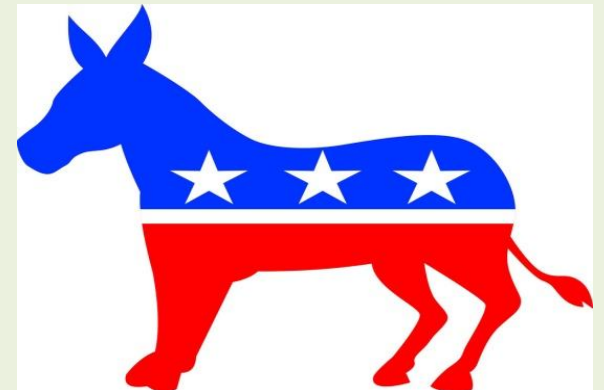
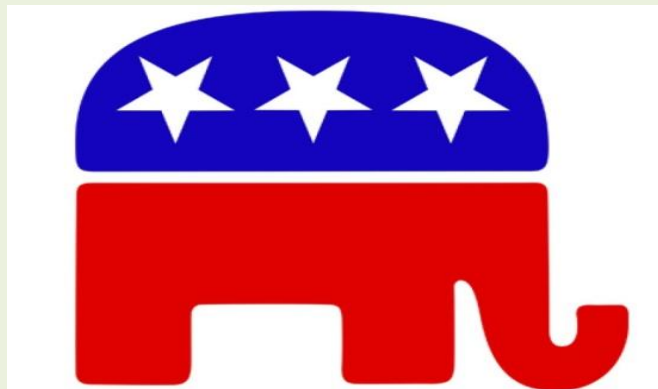
Republican – 68%

Democrat – 32%

Eleven towns passed Local Ordinance

Republican – 64%

Democrat – 36%



Local Concerns

State Regulations Don't Address Wide Range of Concerns

“These permits **apply only to water quality protection**. They do not give the DNR authority to address air, odor, **traffic, lighting**, land use nor any of the social concerns people may...”

Wisconsin Department of Natural Resources CAFO web page



No fire plans



No mortality plans



No air pollution or storm water plans

DNR – No Fire Plans



About 4,000 swine killed in barn fire near Mondovi. WEAU March 13, 2019

DNR – Weak Mortality Plans








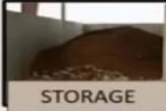

- Difficult to remove carcasses from barn
- Carcass leachate leakage significant within days
6,800 hogs – 27,000 gallons of leachate
Fill 20' x 40' pool, 4.5 feet deep
6,800 cows – 136,000 gallons of leachate

Temporary Carcass Storage Mitigations*

- Locate storage pile on impervious surface or liner.
- Contain leakage and run-off.
- Cover storage pile.
- If storage indoors, provide adequate ventilation.
- Prevent access by scavengers.



Carcass Management Options

Off-Site	 INCINERATION	 LANDFILL	 RENDERING	
On-Site	 BURNING	 DEEP BURIAL	 COMPOSTING	 ABOVE GROUND BURIAL
Other	 STORAGE	 TRANSPORT		

Daybreak Foods Compost Site

10,657,373 chicken carcasses

March 17, 2022	2,750,000 – Jefferson County, WI
Sept 24, 2025	3,078,734 – Jefferson County
October 1, 2025	493,298 – Jefferson County
Feb 26, 2026	1,219,988 – Jefferson County
March 4, 2026	1,621,847 – Jefferson County
March 4, 2026	1,493,506 – Walworth County, WI



"Probably close to thousands of dollars on fly stuff, just trying to contain all the flies. They just kept coming..." neighboring farm.

October 4, 2025 TMJ4



Daybreak – 10.6 million Carcasses

September 25, 2025

"The last time it happened, there was dump trucks from 6 in the morning to almost 6:30/8 o'clock at night. Hundreds of them. ***Every day, for weeks.***"

Farmer David Halser - TMJ4



Palmyra, Wi – Jefferson County
10.6 million carcasses composted
from six avian flu upbreaks at
Daybreak Foods facilities. County
now looking for three more sites...



19-acre compost site in a 44-acre parcel Daybreak controls



Fire destroys empty egg farm barn in Palmyra as residents endure avian flu compost odor

Fire levels a Daybreak Foods facility amid ongoing complaints about overpowering smell from nearby bird carcass compost site, raising community calls for action.



April 23, 2026 – WTMJ TV

A fire destroyed an empty barn at a Daybreak Foods facility in Jefferson County on Thursday afternoon, adding to the concerns of Palmyra residents already dealing with a foul odor from a nearby avian flu composting site.

38 fire agencies were called to the fire.

Watertown Daily News – April 29, 2026

Ridge Breeze Dairy

Mortality Management Plan

Cattle mortality will be managed by cremation on-site.

In the case of an unlikely catastrophic event that goes beyond the capacity of normal mortality management practices, the following process will occur:

1. Contact the Department of Agriculture, Trade, and Consumer Protection (DATCP) for guidance from the State Veterinarian.
2. Contact the Wisconsin Department of Natural Resources (WDNR) for guidance regarding the process to ensure all guidelines are met.
3. Use the following mortality management entities:
 - a. GFL Environmental LLC
 - b. Sanimax
 - c. Organic Waste Connections

Table of Contents

Wisconsin Livestock Mass Mortality Disposal Guide

Contact Information	Page 3-4
Maps	Page 5-6
Site Information	Page 7-8
Animal Information	Page 9
Biosecurity Plan	Page 10
Depopulation Plan	Page 11
Disposal Plan	Page 12
Preferred Disposal Method	Page 13
Secondary Disposal Method	Page 14



DNR - No Storm Water Plans

1-inch rainfall on **1 acre** yields **27,000** gallons of storm water
1-inch rainfall on **11-acre barn** yields **297,000** gallons of storm water
4-inch rainfall on **11-acre barn** yields **1.188** million gallons of storm water



Tinedale Farms



Pagel Ponderosa



Kinnard

DNR – No Air or Worker Plans

Air Pollution

Worker Safety

Coroner's report on 6 deaths at Colorado dairy points to toxic gas exposure

One teenager & five men died in August 2025 after exposure to hydrogen sulfide gas. Coroner's conclusions based on autopsies & toxicology tests. *AP News – October 30, 2025*



DNR - No Limit to Size

YOUR VOICE MATTERS
USE IT TO PROTECT
YOUR FARM



DNR - No Limit to How Big



Kinnard Mega-Dairy

Kewaunee County

9,150 milking & dry cows

131.8 million gallons liquid

15,838 acres

Hundreds of fans

May 1, 2025 permit

DNR - No Limit to How Small Site

Ridge Breeze Mega-Dairy

Up to 7,800 cows on 79 acres

Building without a final DNR expansion permit

1/5-mile long, 11+ acre barn



Fall 2025



Liquid waste pit - 7.3 acres

25 feet deep

677' long x 470' wide

DNR - Little or No Enforcement

Numbers to Remember

1,000 Animal Units
DNR Permit Required

999.6 Animal Units
No DNR Permit Required

Crawford County, Gruber North – 999.6 Animal Units - Hogs

Crawford County, Gruber South – 999.6 Animal Units - Hogs

“I don't know how we regulate it, unless we go out and check...I think it's on DNR radar, and they are still reviewing things to make sure that they are staying under. *But would DNR ever go in in six months after it's built and verify the animal units? I'm not sure.*”

- Crawford County Conservation Director

August 12, 2025

DNR - Little or No Enforcement

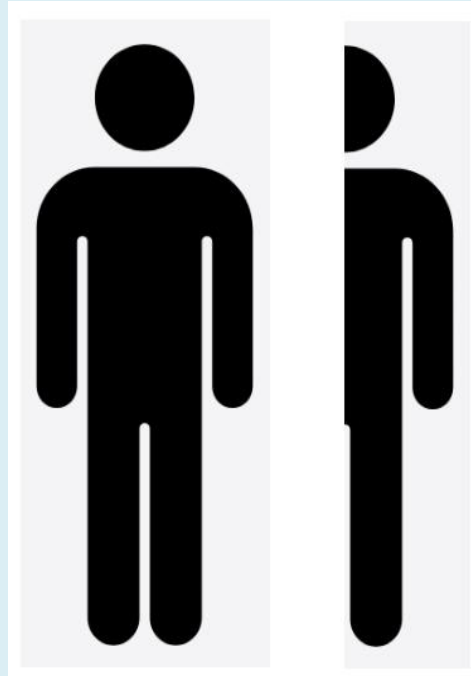
Numbers to Remember

**2025-27 CAFO Budget
Request**

\$426,000 for 4 new staff

**2025-27 Wisconsin Legislature
Appropriation**

\$0 for 0 new staff



**1.5
DNR
Staff**

**342 Nutrient
Management Plans**

Concern - Future of State Regulation

Wisconsin CAFO Program Challenge

- July 2023 - Lawsuit claims CAFOs should not be regulated by DNR
- October 2023 – Wisconsin Farmers Union intervenes against lawsuit
- January 2024 – Dismissed from bench in Calumet County
- March 8, 2024 – Appealed Calumet County dismissal
- September 2025 – Appeals court rules against Venture Dairy
Venture Founders - Milk Source, Tuls, Dairyland, Zahn



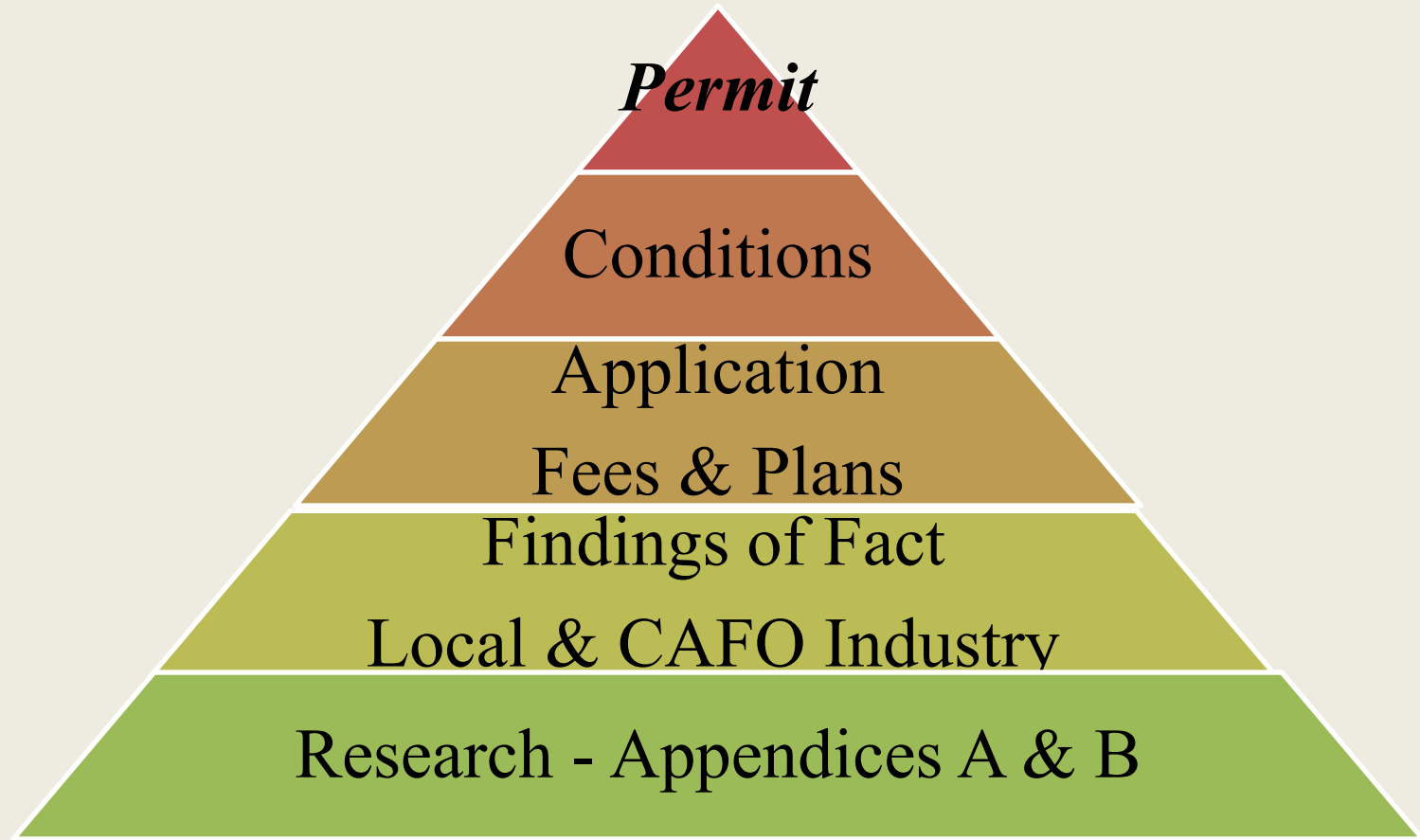
Local Control Challenged In Madison

Legislation to Ban Local Operations Ordinance

- Winter 2024 – Assembly Bill 957 & Senate Bill 892 passed
- March 29, 2024 – Governor Evers Veto
- September 2024 – DBA legislative survey targets local ordinances
- *April 2025 – Farm Bureau calls for local ordinance preemption*
- *November 2025 – Venture Dairy: **No bill...right now!***



CAFO Operations Ordinance



Not a Ban

Not a Siting or Zoning Ordinance

Built on Research

www.ProtectYourTown.org

I. Ordinance built on 127 Findings of Fact

19 Local Findings & 108 Industry Findings of Facts

18 Sections - Authority, Definitions, Plans, Fees, etc.

II. Appendix A

263 references on health, environment, economy, etc.

Scientific Journals

University Programs

Regulatory & Court Documents

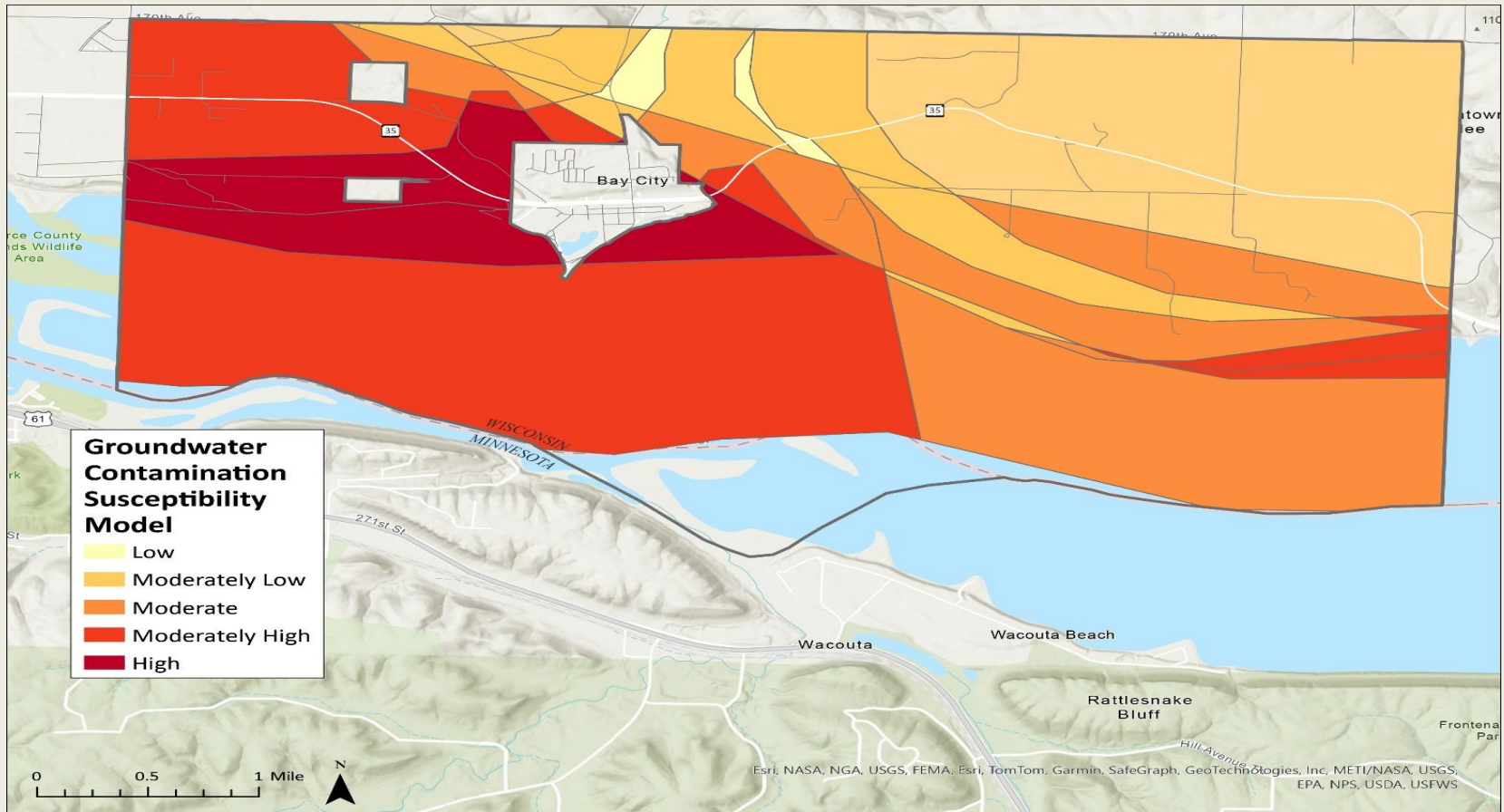
Media Articles

III. Appendix B

7 Maps of Local Data



Appendix B – Local Findings



Groundwater Susceptibility to Contamination	Percent of Total
High	9%
Moderately High	34%
Moderate	24%
Moderately Low	32%
Low	1%

CAFO Operations Ordinance

18 Sections

Section 1 - Authority

Section 2 - Purpose

Section 3 - Definitions – size of operation

Section 4 - License Required

Section 5 - License Administration

Section 6 - License Application

Section 7 - License Application Fee

Section 8 - Application Procedure

Section 9 - Financial Surety

Section 10 - Conditions

Sections 11 to 18 - Administrative details



Application Procedure

11 Plans Address Community Concerns

Prevent the Spread of Infectious Diseases

Waste Management

Animal Population & Depopulation

Biosecurity & Animal Health

Animal Transportation

Water Use

Odor & Toxic Air Pollution Prevention

Community Economic, Land Use & Property Value Assessment

Construction, Fire & Roads

Compliance Testing, Sampling & Monitoring

Compliance Assurance for all Plans

Plans Reviewed, Conditions Added if Needed

- Town defines size of operation requiring permit
- CAFO application includes plans & application fee
- Town hires 3rd party consultant
- Consultant reviews plans, makes recommendations
- If changes needed, Town adds conditions
- Town issues permit



Who Pays to Review & Enforce Plans?

Review

Applicant compensates Town for all reasonably incurred legal and expert services needed to review and approve plans

Enforcement

Applicant compensates all reasonably incurred legal and expert services needed to verify and enforce compliance with terms of the permit



Specific Conditions - Fire

Fire Safety Needs Analysis Plan based on National Fire Protection Association (NFPA)

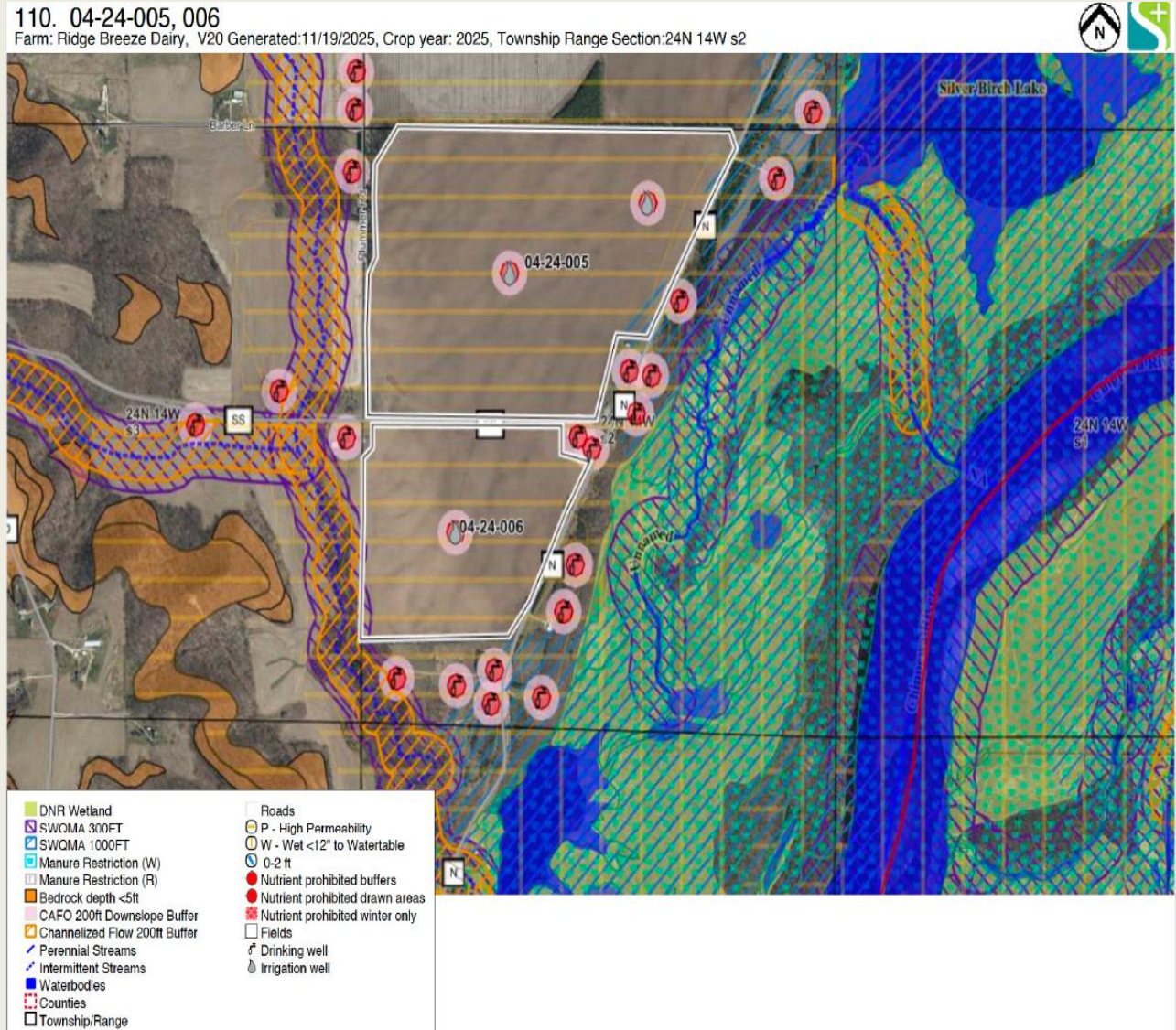
- Standard for Fire Protection in Wildland, Rural & Suburban Areas - NFPA 1141 & 1144
- Standard on Water Supplies for Suburban and Rural Fire Fighting - NFPA 1142
- Fire and Life Safety in Animal Housing Facilities Code - NFPA 150



Specific Conditions - Waste

Frankfort 750 acres Condition Examples

- Scientifically significant data on water quality of human drinking & agricultural wells
- Manure Land Application Agreements, with land owners for 5 years



Crafting an Operations Ordinance

- Town authorizes Plan Commission or Study Group
- Review ordinance examples & collects local data
- Develops recommended ordinance
- Town counsel reviews recommendation
- Town board holds hearing, votes up or down



Ordinance is Legal

- Authority from Wisconsin Constitution
- Authority from Wisconsin Statutes
 - Water Protection
 - Village Powers
- Attempt to Ban in Madison



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 Plan	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

www.ProtectYourTown.org

OPERATIONS ORDINANCES PROTECT WISCONSIN TOWNS FROM CAFOS

Concentrated Animal Feeding Operations (CAFO) can be locally controlled with an Operations Ordinance.

**Learn About Operations Ordinance
For Yourself**

**Up to Date News on People
Protecting Their Communities**

