



Livestock Facility Siting Overview

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DIVISION OF AGRICULTURAL RESOURCE MANAGEMENT

WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION (DATCP)

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Livestock Facility Siting

VS

Concentrated Animal Feeding Operations (CAFO)



Only administered by local governments who choose to adopt licensing or zoning ordinance with review from the Department of Agriculture, Trade and Consumer Protection (DATCP).

Administered statewide by the Department of Natural Resources (DNR).

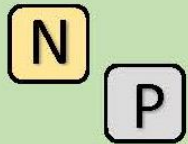


500

Applicable to new or expanding operations with 500 or more animal units (au). Local governments can choose a threshold higher than 500au, or less than 500au if a more restrictive ordinance existed before July 19th, 2003.

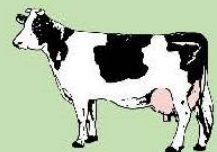
Applicable to all new or expanding operations with 1000 or more animal units (au), or possibly less than 1000au if there is a discharge of pollutants to waters of the state or groundwater.

1000



Sets standards for nutrient management (NRCS 590 [2005]), waste storage (NRCS 313 [2004]) and runoff management (NRCS 635 [2002]).

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Aimed to regulate land use by setting maximum structural setbacks, tracking odor control and limiting exclusion of livestock facilities in agricultural zoning districts.

Aimed to protect water quality by reducing or preventing manure or process wastewater pollution from land applications and production site wastes.



LIVESTOCK FACILITY SITING LAW

The siting law (Wis. Stats. s. 93.90 & Wis.Admin. Code ATCP 51) provides the tools for local governments to regulate the location and operation of livestock facilities. Anytime local approval is required, it must be done consistent with the siting law.

Ways to adopt siting authority through a local ordinance:

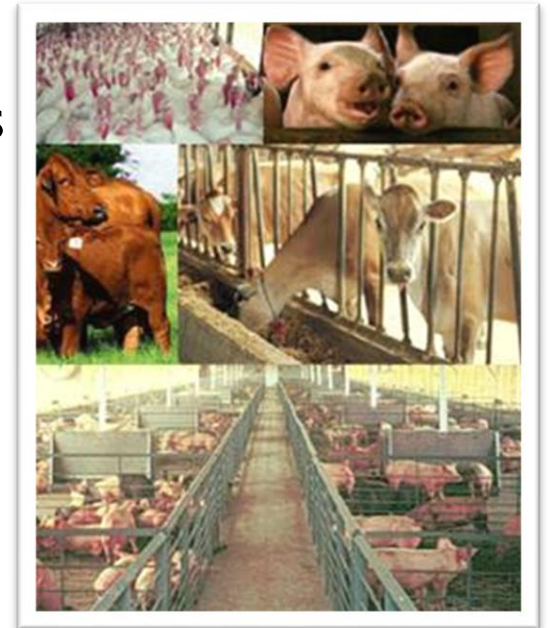
- Zoning
 - Administered through general zoning authority (ex. CUP).
- Licensing
 - Administered through adopted authority, may apply in areas without zoning.



WHAT DOES IT REGULATE?

- New or expanding livestock facilities with 500 or more animal units (au), or less than 500au if adopted before 2003.
 - 357 milking cows, 1,250 pigs (55 lbs. – market), 50,000 egg layers
- Setbacks from roads and property lines, ATCP 51.12
- Odor control, ATCP 51.14
- Nutrient management, ATCP 51.16
- Waste storage, ATCP 51.18
- Runoff management, ATCP 51.20
- Limits exclusion of facilities in ag zoning districts, ss. 93.90(3)(a)2.

Applicants can use effective CAFO (WPDES) permits as proof of compliance



ODOR CONTROL

- Predictive odor is calculated as a 'score'; 500+ is passing.
- Score is calculated based on size and number of animal housing structures, waste storage structures, and animal lots, as well as the nearest affected neighbors.
- 'Credits' are given for odor control practices, such as frequent cleaning (3x daily) or freshwater flushing housing structures, and natural surface crusting of waste storage.
- Odor score and practices are locked in for the duration of the permit.

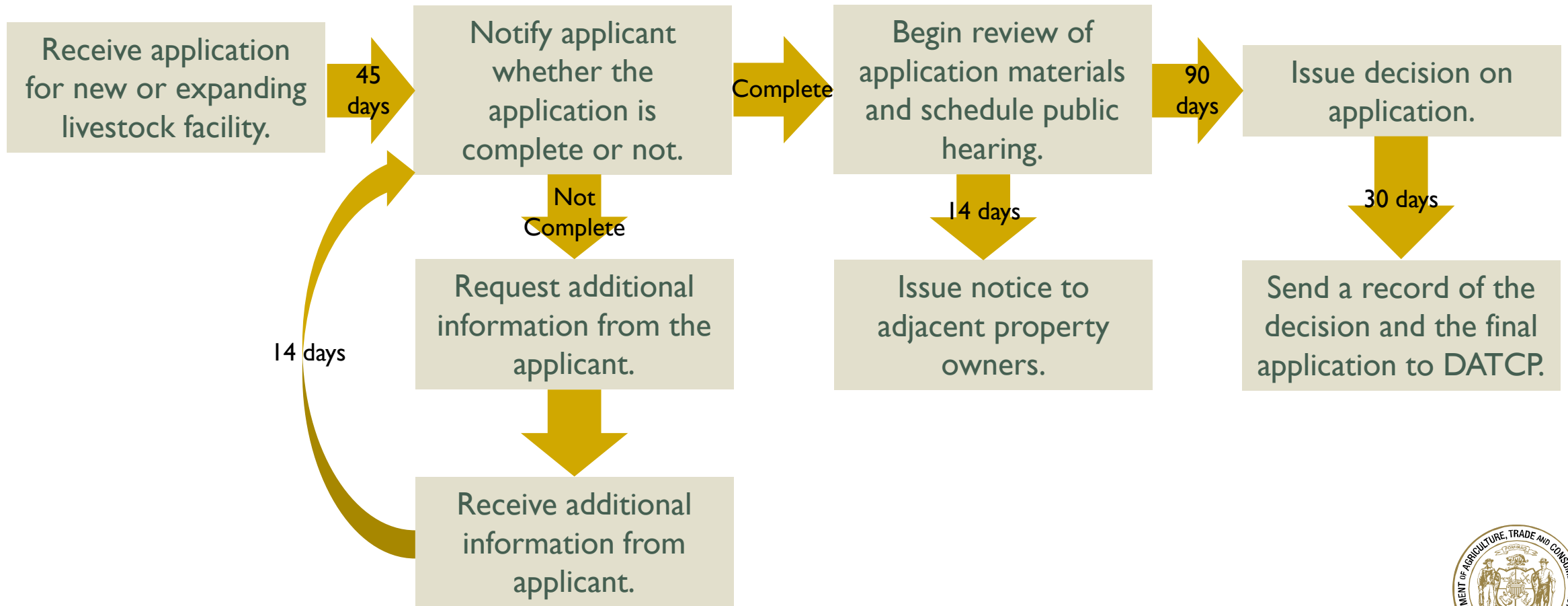


DATCP'S ROLE

- Assist local governments with drafting local ordinances in compliance with Wis. Stats. s. 93.90 & ATCP 51.
- All local governments must provide DATCP with copies of their livestock siting ordinances, and copies of approved or denied applications with a written record of decision.
- DATCP must review ATCP 51 at least once every four years.
- Livestock Facility Siting Review Board supported by DATCP that reviews appeals to local decisions.



TIMELINE OF LOCAL REVIEW



Thank You!



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www.livestocksiting.wi.gov