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Wisconsin Dairy Alliance: Urges DATCP Board to reject proposed ATCP 51 changes

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(Sheboygan) – The Wisconsin Dairy Alliance (WDA) today urged the Department of Agriculture Trade & Consumer Protection (DATCP) Board to reject the changes being recommended by DATCP staff to the livestock siting regulations or ATCP 51. On Friday, DATCP Secretary designee Brad Pfaff announced he was pulling the revisions off the Board's November 7th meeting agenda.

"It's not enough to delay consideration of the proposed changes to ATCP 51," said WDA President Cindy Leitner. "These proposed changes would have a devastating impact on the struggling dairy industry in Wisconsin and we urge the DATCP Board to reject them at their meeting on Thursday November 7th. The dairy industry has been sounding the alarm bells on these rule revisions for months and DATCP simply ignored us," said Leitner.

The dairy industry sent a comprehensive letter to DATCP in September outlining numerous specific concerns with the revisions. That should have been a strong signal to DATCP they were headed in the wrong direction. The industry letter was followed by a statement from the co-chair of the Joint Committee for Review of Administrative Rules (JCRAR) stating he would suspend the rules if industry concerns were not addressed in the final rule. That too should have been a signal to DATCP that they were heading in the wrong direction.

The final proposed rule revisions recently sent to the DATCP Board made minor improvements on the issue of setbacks but got worse in other areas. Notably, the final rule removes the cap on fees that a political subdivision can charge for permits and requires farmers to provide financial assurance for roads. Additionally, any new manure storage built on a new farm has to meet a 1450' setback and even with the use of costly odor mitigation practices, the reduced setback will still be unworkable.

This rule has moved in the wrong direction from the beginning and continues to not be workable. That's why an even larger coalition of opponents sent DATCP a letter on Friday expressing strong opposition to the rule.

Pfaff's late Friday announcement indicated that DATCP was 'listening intently' to industry input and that they were delaying the rule revisions to 'take more time to continue discussions with industry'. Offering to delay the rule does not prevent the destructive components in the revisions from remaining. Clearly DATCP has been paying lip service to "listening" without addressing the volume of issues in the rule identified by the collective Ag groups in the state.

"Why should the dairy industry trust DATCP to listen now when they haven't been listening to us throughout this process," said Leitner. "It's time for the DATCP Board to reject ATCP 51 revisions!"

Recently, a Coalition of 20 of Wisconsin's largest Agricultural Associations and businesses, including WDA, sent a letter to the DATCP board.

CLICK HERE to read the Coalition letter.

About Wisconsin Dairy Alliance
WDA represents modern regulated dairy farms in Wisconsin and works diligently to preserve Wisconsin's heritage as the Dairy State. Our non-profit organization advocates for the truth by contesting unnecessary regulations that do not protect natural resources. The WDA believes in parity for all dischargers and works to operate under the uniform "zero-discharge" standard applied to WDA members.