

Venture Dairy Cooperative: Wisconsin's dairy industry is under siege as town boards ignore farmers

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MONDAY, April 11, 2022: Recently in Polk County, the Towns of Laketown, Trade Lake and Eureka passed extreme new local regulations on farmers. These ordinances, pushed by anti-farm activists, add almost limitless and unobtainable permitting conditions on growing farms. The so-called "CAFO Ordinances" do not just classify 1,000 animal units as a confined or concentrated animal feeding operation (CAFO). They affect farmers with operations of 500 animal units (~300 milking cows) in Trade Lake and 700 animal units (~ 500 milking cows) in Laketown and Eureka.

Under these siting ordinances, farmers must submit an additional 11 plans, including the following:

- A subjective odor plan to "prevent the presence of odiferous smells noticeable to human olfactories;"
- A daily recording and reporting of animal numbers and mortality report submitted to a Town-designated local authority; and
- A compliance assurance testing, sampling, and monitoring plan submitted to a third-party corrective measures contractor and a local authority incident commander.

Not only are farmers on the hook for all sorts of new reporting, they are also required to pay for any legal fees, consulting fees or other costs incurred by the Town when it reviews an application.

If that is not enough, the ordinances place extraordinary new burdens on farmers like requiring that they conduct traffic studies, control air emissions, and open their bank accounts to the Town as they navigate the process. One of the ordinances even goes as far as dictating hours of operation for the farm that can only be 8 am -

5 pm, Monday through Friday.

According to Venture Dairy Cooperative's Kim Bremmer, "I've never seen anything quite this devastating before. Not only is the ordinance bad public policy and bad for farmers, it is also likely unlawful."

Venture Dairy Cooperative is not the only group taking notice. "These ordinances give these towns nearly unfettered authority to impose any condition on licensure on farms as long as the town determines in their view it is 'reasonable and necessary' to protect public health- meaning there are no bounds on what conditions the Town might impose during permitting and beyond," said Cindy Leitner, President of the Wisconsin Dairy Alliance.

Venture Cooperative, Wisconsin Dairy Alliance and Wisconsin Manufacturers and Commerce all presented testimony opposed to this ordinance at a Laketown public hearing.

"Farmers are some of the most responsible conservationists of our land throughout the state. Wisconsin farmers, and especially large producers, work consistently to lower their environmental footprint through improved farming practices, including responsible and mandated nutrient management. The ability of farmers to continue to efficiently feed the world is compromised when policymakers ignore farmers and enact hostile policies like this proposed ordinance... Wisconsin CAFOs are already held to some of the highest standards in the United States. They must abide by Nutrient Management Plans and are audited annually by the DNR to ensure they are compliant. CAFOs are already subject to a zero-discharge standard per the terms of their stringent Wisconsin Pollutant Discharge Elimination System (WPDES) permit."

"Our members stand against this attempt to skirt state law and enact policy that will ensure no farm will be able to grow in these townships. We are consulting with legal counsel and intend to avail ourselves of any legal recourse available," said Leitner and Bremmer.

Each town board is currently working to have an application and related process complete in short order. We will continue to provide updates as they become available.