

Chapter 49 Agricultural Performance & Manure Management standards



Chapter 49 Overview

In 2019, Dane County Board of Supervisors passed a new ordinance to address manure management and agricultural performance standards to protect human health and safety as well as protect surface water and groundwater resources. Chapter 49: Agricultural Performance Standards and Manure Management replaces Subchapter 1 of Chapter 14 for manure management and is effective July 1, 2019.

Why Develop a New Ordinance?

The manure management section of Chapter 14 had not been updated since 2006. Much of the language was outdated, old standards were referenced, and it was not up to date with current state administrative rules. Additionally, in 2017, the Dane County Board of Supervisors created a Healthy Farms, Healthy Lakes Task Force which made several recommendations to reduce sediment and nutrient runoff while protecting the agricultural industry in the county. A number of the recommendations in the task force report included updates to the ordinance.

Chapter 49 Highlights

The following highlights the major requirements under the ordinance:

- ✦ Agricultural Performance Standards and Prohibitions:
 - Incorporates Wisconsin's standards and prohibitions for agriculture into county ordinance.
 - Cost-share funding may be required to comply.
- ✦ Manure Storage Facility Permits:
 - If building a new storage or modifying an existing storage, a permit is required prior to construction.
 - Permits cover both construction, operation and maintenance through the designed life expectancy of the storage which is 20 years.

For more information, please contact:

Land Conservation Division
(608) 224-3730
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Chapter 49 Highlights (continued)

☛ Certificates of Use for Manure Storage Facilities:

- Manure storage facilities that do not have a permit under Chapter 49 will be required to have a certificate of use.
- All safety devices are installed and in good working order.
- The certificate ensures the facility is being operated and maintained in accordance with the performance standards and prohibitions.
- Manure is to be applied in accordance with a nutrient management plan.
- A facility may need to be properly closed if it does not meet proper design, operation or maintenance requirements.

☛ Winter Spreading Permits:

- If solid or liquid manure is going to be spread when the ground is frozen and/or snow-covered, a permit is required.
- A permit includes:
 - ⇒ A winter spreading plan with maps showing where restriction areas are, information on manure application rates and timing, and practices that will be implemented to minimize the risk of runoff.
 - ⇒ An emergency response plan with contacts for contractors, farm staff, and agency staff, location of necessary equipment.
 - ⇒ Manure spreading logs to track dates, locations, and rates of manure application.

Compliance and Enforcement

Our first priority is always to work with landowners and producers on a voluntary basis to address resource concerns by providing conservation planning assistance and engineering technical services. Ordinances are just one tool used to maintain consistent implementation to meet the goals and priorities set by county elected officials. If resource concerns cannot be addressed through voluntary measures, the county may pursue a stepped enforcement process with a landowner or producer to work towards compliance. This may include letters, schedules for compliance, citations or fines, or referrals to the judicial system depending on cooperation of the landowner or producer as well as severity of the resource concern.

Financial Assistance

In some situations, financial assistance may be available to help landowners and producers address resource concerns and achieve compliance with ordinance requirements. Programs and deadlines vary so it is important to contact our office as soon as possible so we can work with you to find the best options for your operation.