

# Revised Butkus comment

## Public Comments Oneida County Conservation Committee Public Hearing 01/05/22 Manure Storage Ordinance

I appreciate the opportunity to make a public comment in support of the proposed Manure Storage Ordinance.

It was hard work to create the ordinance, but I believe it was well worth it. The sole goal was to produce a good ordinance and try to accommodate the concerns of all parties, because that's what ordinances are for, managing disparate interests over shared use of a resource in the most equitable way possible. Does everyone get everything they want? No. Compromise is not a dirty word. Those involved tried to find middle ground between farms of all types and residents/visitors who live on or use Oneida County waters for recreation. Both groups contribute to the tax base in this County. Both impact the surface waters of the County through their separate use, in their own way. One does not get to exist at the expense of another.

I believe the draft ordinance represents good work by a group of people who understand the balance of the interested parties. There was give and take all the way around. Additional input was seriously considered. I believe this proposed ordinance better than many in agriculture-rich counties.

I've heard it said that we don't need an ordinance, there are no CAFO's in Oneida Co. I've heard that this will hurt small farms. I've heard that most small farms already comply with good practices and it's unnecessary. To those comments, my replies are these. Implementing an ordinance after a CAFO is established is too late. This is a preventative measure. I've not seen solid data from the small farms showing how this ordinance will hurt them financially, or how it will negatively impact their day to day operations. And to the last point, consider, this. It is not the farms that follow good practices that worry me. It's the one or two that don't. If what they say is true and most are already following good practices, then this ordinance does not affect most small farms. In most cases, small operations won't be required to obtain a permit. All that is being asked of small farms is that they all use the same guidelines of good practices by keeping manure stacks away from areas that endanger surface and ground water and minimize runoff by standardizing setbacks. If these are good practices that they claim they are already following, then where is the issue with the ordinance, really?

Lastly, I'd like us to consider that of the 72 counties in Wisconsin, 62 have a Manure Storage Ordinance. Of the 10 that do not, 6 are in North Central Wisconsin, the area which is most rich with inland lakes in our state: Price, Iron, Vilas, Forest, Florence, and of course Oneida. I think that if counties with more agriculture than Oneida County found it wise to pass a Manure Storage Ordinance, and managed to overcome threading the needle of shared use to accommodate all parties, including small farms, then Oneida County can as well. We only need to follow their lead. I support the manure storage ordinance. Thank you.

Dan Butkus

## Michele Sadauskas

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**From:** ConnieAnderson <crescentview@charter.net>  
**Sent:** Wednesday, January 5, 2022 4:35 PM  
**To:** LWCD  
**Subject:** Manure Storage Ordinance

I support the adoption of this ordinance. I commend the committee for the many hours they have spent in crafting this document. I agree that somewhere should mention be made of CAFOs. I don't think we should rely solely on the state for regulation. Once the " horse is out of the barn" is too late to fix the problem. Why do 62 other counties have their own ordinances? Probably because they don't trust the politicians in Madison to find protection of the state's precious resources very important.

Connie Anderson  
3021 S Rifle Rd  
Rhinelander

## Michele Sadauskas

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**From:** Sue Stefonek <[sstefonek@gmail.com](mailto:ssstefonek@gmail.com)>  
**Sent:** Friday, January 7, 2022 11:30 AM  
**To:** LWCD  
**Subject:** Re: Manure Storage Ordinance

Dale and Susan Stefonek  
4620 Westend Rd.  
Rhineland, WI 54501  
phone (715) 272-1172  
cell (715) 499-1931

On Thu, Jan 6, 2022 at 7:27 PM Sue Stefonek <[sstefonek@gmail.com](mailto:ssstefonek@gmail.com)> wrote:

My name is Dale Stefonek. My wife Susan and I operate a small farm with 20-30 beef cattle, 3 horses, and 25 chickens. This family farm in Sugar Camp has been in existence since 1898.

Most of our manure that is stored in a pile for approximately 2 months is gathered up after cleaning out a portion of the barn with cement flooring that is used as a cattle shelter and then loaded into our manure spreader and put onto our hay fields to be used as fertilizer. Our animals have access to fresh water through an automatic watering system from a well. The animals also have access to spring fed ponds on our property.

1. I do not feel that Oneida County has a need to pass an ordinance related to manure management. We have a tractor and manure spreader to distribute manure to fertilize our fields away from any water source so as not to pollute groundwater.
2. I feel that if I need assistance regarding manure storage or management of manure, I would contact the DNR and/or the DATCP.
3. I am asking that Oneida County support Wisconsin's Right to Farm law.
4. I support the decision of the farmer representative on the committee that voted against the proposed manure storage ordinance. I do not feel that an ordinance such as this is necessary in our county.
5. We as farmers feel that we are making an effort to protect the environment and improve it. We don't need regulations that are unnecessary. There are so few small farmers in Oneida County. These small farms are not managed the same as large corporate farms. It is not a fair comparison.

**Michele Sadauskas**

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**From:** David Schneider <dshydraulics@me.com>  
**Sent:** Wednesday, January 5, 2022 1:10 PM  
**To:** LWCD  
**Subject:** manure storage ordinance

## Manure Storage Ordinance

To the members of Oneida county board I would like to ask the question who is bringing this issue to the front after being turned down by the zoning committee at an earlier date? And why ?

The State and DNR already regulate this so why would you create a ordinance that will need my tax dollars from the county

to be used to overlap existing regulations?

Does our state license plate not say America's Dairyland on it?

The only way to have that designation is with cows>

The farmers I know are all small operations that should be supported by the Wisconsin Right to Farm Law not to be regulated out of farming by unqualified members of the board making ordinances .

We should be concentrating on the real issues of our county such as the jobless rate with the loggers who are unable to make a living since the 2 mills closing. And the assistance to keep small business open and not regulate them out of business.

Thank you for allowing me to comment on this

David Schneider

921 Kurtz Rd

Monico, WI 54501

## Michele Sadauskas

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**From:** Donald Schneider <schnedon@hotmail.com>  
**Sent:** Thursday, January 6, 2022 5:21 PM  
**To:** LWCD  
**Subject:** manure storage ordinance

I have a small cattle farm in Oneida county and am concerned and frustrated with the ordinance being purposed for manure storage.

1<sup>st</sup> I do not see the need to spend tax payers money on an ordinance that is already regulated by the DNR and DATCP along with other state and federal agencies. Farmers along with anyone else that work with the land are some of the best stewards. Our lively hood depends on the land to produce so that we have a product to feed the American public. By adding more regulations and making it that much more difficult to do our jobs you are taking food off of my plate and all the people buy from me to feed their families.

2<sup>nd</sup> another issue I have with this is your one farmer on your committee that voted no every time and it has already been voted down by another committee, why is it being brought up again? It seems to me that someone is being pushed or someone on this committee is doing the pushing to pass this due to a farm or farmer that they do not like. Instead of making it harder for an occupation that is already hard enough, why not use this money to put a program in place to help farmers and manure producers with this issue?

3<sup>rd</sup> as a farmer in Oneida county where the forests out number the farm fields, we need every inch of our property to be productive. By putting this into place you are cutting down our farmable acreage. In return we need to cutting down trees and creating more useable land for farming. I do not want to do this because I enjoy our beautiful forests here in Oneida county.

4<sup>th</sup> Instead of making it more costly for the farmers and tax payers, I suggest creating a fund to help with the cost of manure storage and management.

Thank you  
Don Schneider  
889 Kurtz rd  
Monico WI 54501

## Michele Sadauskas

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**From:** Norris and Joan Ross <norrisross@frontier.com>  
**Sent:** Wednesday, January 5, 2022 9:17 AM  
**To:** Michele Sadauskas  
**Subject:** Manure Storage and Management Ordinance Hearing

Oneida County Land & Water Conservation Committee:

I commend your efforts in drafting a long-overdue Oneida County Ordinance on Manure Storage joining the rest of the state's counties trying to protect our lakes and ground water quality. I totally support your efforts and hope the rest of the approval process goes forward without much delay.

My only comment/question is relative to 28.09 Appeals and Variances. Specifically, 28.09 (2):  
(State case law and state statues are very specific about the criteria that the BOA must use in making its decisions. Your criteria should not be included in the ordinance. It is just more language that could lead to more confusion in court cases that challenge a BOA decision.)

I hope this moves forward quickly and again I fully support the committee's efforts.

Norris Ross  
7365 Wheeler Island RD  
Three Lakes, Wi 54562

## Michele Sadauskas

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**From:** Sylvia Huebner <Sm.huebner1@hotmail.com>  
**Sent:** Wednesday, January 5, 2022 11:23 AM  
**To:** LWCD  
**Subject:** Manure storage ordinance

My vote is No, I cannot imagine why a County Board would want to expand its Responsibility into an area that already is being policed by a state agency (DNR) After all, Oneida County is not a farming community, only a hobby farm class. We don't even have enough farmers to have our own County agent.

Signed: Robert Huebner, Tomahawk, WI



**CAMP FOUR FARM LLC**  
4146 Camp Four Road  
Rhineland, Wisconsin 54501  
(715) 272-1781 and [sjsweeney@frontiernet.net](mailto:sjsweeney@frontiernet.net)  
[Facebook - /CampFourFarm](https://www.facebook.com/CampFourFarm)

**Date:** January 5, 2022

**To:** Oneida County Conservation and UW Extension Committee  
(CUW) and Public Hearing on January 5, 2022 3:30pm

**From:** Scarlet Sweeney  
Camp Four Farm



**Re:** Preliminary written comments - Proposed "Manure Storage Ordinance"  
by Oneida County Conservation and UWEX education Committee (CUW)  
and Public Hearing on January 5, 2022 3:30pm

Due to a scheduling conflict at work, I am unable to attend the public hearing regarding the above-mentioned topic. Therefore, I will appreciate if these written comments be taken into the official record of the proceedings for consideration when determining the path forward for this proposed manure storage ordinance.

Our family farm, the Lorbetske Farm, now Camp Four Farm, is in the Town of Sugar Camp. We are the fifth generation to farm this land in Oneida County beginning with my great-great-grandfather who brought his family here from Poland in 1903. Our current farm operation entails raising grass fed beef for sale, hay for feed, and blueberries, apples and vegetables, that are grown using organic production practices, for sale. We also keep bees to enhance pollination and sell the honey as a by-product. Lastly our farm grows Christmas trees, and we make wreaths that are sold throughout our area.

John and I have been operating this farm since 1999. Additionally, I've worked off the farm in agricultural research for the past 25 years where I spend a significant amount of time working with large and small farmers across the US and Canada. I previously served as an Oneida County Fair Board Member and 4-H leader. Since we began operation of the farm, we have sought many hours of continuing education related to water and soil management, crop production, and best practices regarding the health and well-being of our animals. We are members of several farming related associations as well as the Wisconsin Farm Bureau.

Our farm has operated, and will continue to operate within the standards, regulations and laws of the Department of Agriculture, Trade and Consumer Protection (DATCP) and the Wisconsin Department of Natural Resources (DNR). As early as 1956, our farm worked with experts of the United States Department of Agriculture (USDA) to design pasture grazing locations to protect land and water. Since 2000, we have worked and consulted with the USDA Natural Resources

Conservation Service (NRCS) on technical farm projects, best farming practices, and improvement of pollinator habitat.

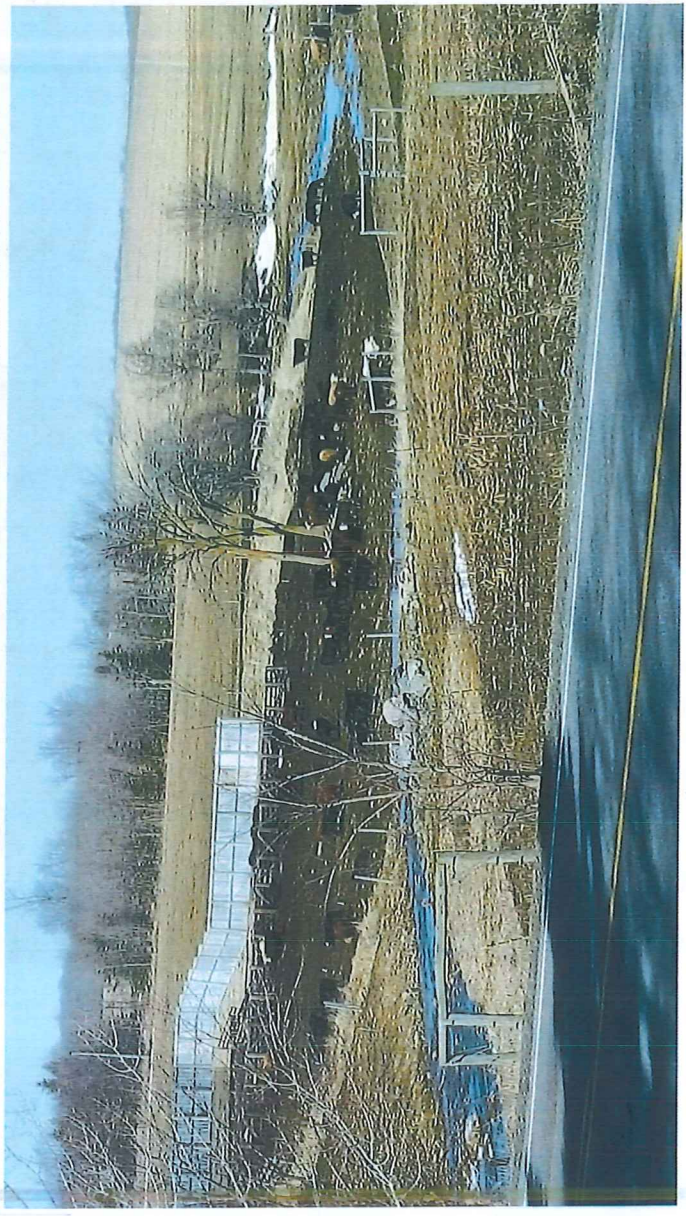
Based on our collective knowledge, skills, and experience I offer these thoughts for consideration:

1. Our family farm is committed to land and water conservation, regenerative crop production, and animal health and well-being.
2. Oneida County has demonstrated no need to pass a county ordinance related to manure management. Oneida County has significant state mandated duties and responsibilities. Currently Oneida County has no expertise or personnel assigned to regulate manure storage and management and there are no county funds expended for this reason. Please allow the DNR and DATCP to continue to provide personnel, technical assistance, guidance, and enforcement as needed to farmers and producers of manure in Oneida County. When citizens, farmers and/or County government reps require assistance, they will and should contact the DNR and/or DATCP for needed assistance as it relates to manure storage and management.
3. Wisconsin's Right to Farm law (823.08, Stats.) includes the keeping of livestock. At a minimum Oneida County should understand, recognize, acknowledge, and reference the support of this law when drafting ordinances related to farming. It is important to note that our farm is properly zoned to permit farming and keeping of livestock.
4. Should a place of vulnerability or conflict with farmers be identified in the future, I would respectfully request that Oneida County CUW work with farmers and affected parties to identify a path forward in support and encouragement of the production of local food. When drafting an ordinance, make sure individuals with all appropriate subject matter expertise are at the table for input.
5. "Localizing state authority" - in the event the CUW or Oneida County Board believes that current state law or administrative rules related to manure storage and farming are inadequate, the County should seek a discussion with the state legislature.

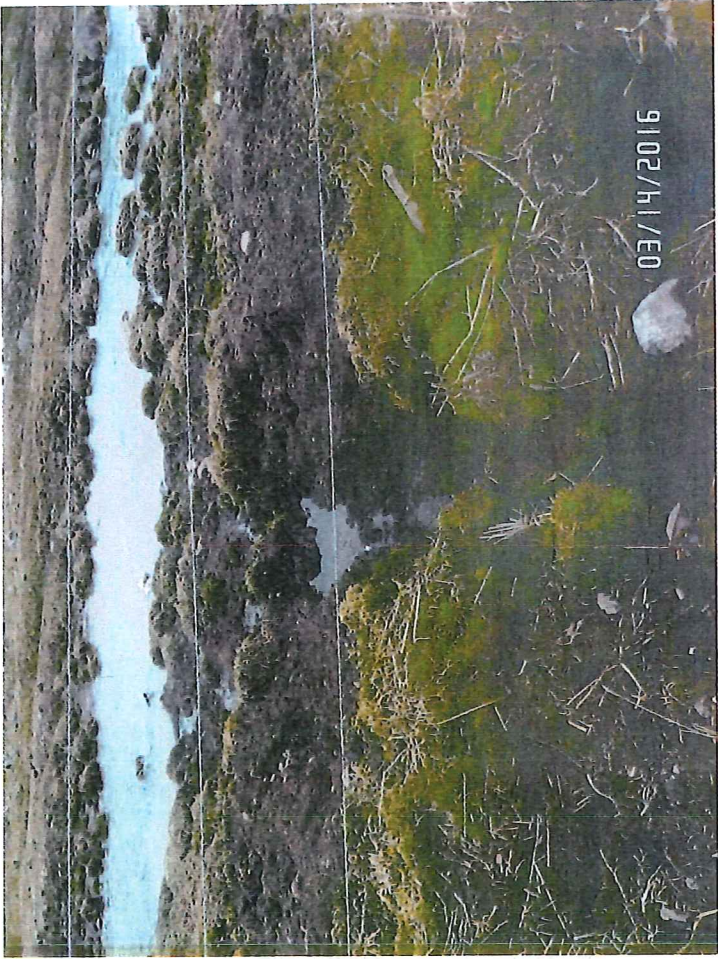
I kindly thank you for your time and consideration of my input. I can be reached at the farm at (715) 272-1781.

cc: Camp Four Farm LLC file

Wis DNR photos of small beef operation in Marathon County. Submitted by Tom Jerow as part of his verbal testimony regarding the proposed Oneida County Manure Storage Ordinance hearing conducted on January 5, 2022.



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jerow  
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STATE POLITICS

# Proposed hog megafarm causes a stir in Bayfield County

Facility near Lake Superior would be largest in Wisconsin

By Lee Bergquist of the Journal Sentinel

An Iowa business wants to construct the first megafarm in the Lake Superior basin, with plans to produce thousands of pigs annually a few miles from Ashland and the shore of Chequamegon Bay.

But plans for the Bayfield County farm are coming under criticism from some residents who fear that millions of gallons of hog manure will eventually wash off the land and pollute the big lake.

Big dairy farms are a growing economic force — and source of controversy — in Wisconsin. Their numbers have more than quadrupled since 2000, according to Department of Natural Resources figures.

Large-scale hog farms haven't grown at the same pace.

But if its plans are approved by state and federal regulators, the \$17.7 million farm about seven miles from Ashland would be the largest hog farm in the state.

June 27, 2015  
133 Comments

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Jerow additional

**Michele Sadauskas**

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**From:** Tom Jerow <tjerow@gmail.com>  
**Sent:** Friday, January 7, 2022 2:37 PM  
**To:** Michele Sadauskas  
**Subject:** MSO Public Comment Amendment

I would like to add a couple of items to my public comment:

- The photos of the farm I submitted in Marathon County, according to the DNR staff, housed less than 100 animals - somewhere between 50 and 75 cows. Most certainly a small operation by most standards and yet the manure run-off was certainly have a negative impact on water quality.
- I support Bob Martini's suggestion of including adaptive management element to the code by having an annual review.

# Written transcript of testimony

My name is Tom Jerow, and I live at 604 Riek St. in Rhineland. These comments are my own and make them as a citizen and tax payer in Oneida County.

I participated by invitation in the process of developing this draft ordinance. I believe it balances the public right to clean water with property owner or farmer's right to produce food. While the state, through the DNR and DATCP, have programs to manage animal waste from farms, they lack the staffing and resources to monitor and enforce manure management standards. For example the person who covers Oneida County also covers complaints in Clark, Florence, Forest, Langlade, Lincoln, Marathon, Portage, Vilas, Wood. Obviously, they cannot possibly cover this entire area effectively or efficiently - I know because I used to manage the staff that did this work at DNR. By having this ordinance in place we'll be able to work closely with the DNR to help farmers comply with the standards - both County and state standards. I've said from the very beginning of this process and the committee is probably sick of hearing me say this - Land Conservation and DNR staff should be working with farmers and land owners to be in compliance, including but not limited to financial assistance. Enforcement should be a last resort.



Oneida County does not have a lot of animal agriculture. However, the time to enact rules is now - not after we have a mega hog farm proposed such as happened in Bayfield County. In fact courts have ruled that enacting rules after a facility is proposed is not legal. Some have suggested we have a loop whole for small farms. Well I have provided you with some photos of a small farm in Marathon County where manure is clearly causing serious water quality issues. Not only is this bad for environment but it also poor animal husbandry that impacts the producers profitability. This will give the County staff with the ability work with the farmer to solve problems and keep our water clean. The enforcement mechanism in the ordinance is really just a back-up tool of last resort. The rule as currently drafted is only slightly different from the state regulations. It has some set-backs from wells, property lines, and wetlands. I believe this are reflective of our primary aquifer in the County which is sand and gravel. I have made this point before almost all water is connected and manure discharged to a wetland will impact our lakes, rivers, and even ultimately our drinking water.