

From: Calkins, Kurt <Kurt.Calkins@co.columbia.wi.us>

Sent: Thursday, January 13, 2022 4:06 PM

To: Matt Krueger <matt@wisconsinlandwater.org>; Bob Mott <bobmott329@hotmail.com>

Subject: RE: Right to Farm

Bob and Matt,

The article below captures the theme of the law. I have had that question before over the years, sometimes from committee members. The fact that you are seeking to pass a Ordinance, that you legally have the right to pass, via statutory authorization, Like chapter 92, you are in fact are following the intent of the laws basis, which states that farmers need to follow good agricultural practices, which in the case of things you would implement like waste storage, the run of NR 151 standards etc, those would already be acceptable good ag practices because they are already state law.

I would spend time explaining the fact that these rules have already been on the books, you at the county level are just looking to enhance local implementation.

A simple example would be manure spreading. If someone filed a suit over the act of manure spreading period, like we just don't want it here, I think that would fall under this as a nuisance suit, if the county tried to ban manure spreading period, that would also. You can require spreading be done according to NR 151 and NMP 590, which is what you would do in an ordinance.

We do require that the right to farm statement be included on all new CSM that are created in Certified Ag Zoning Districts, to basically state, that your neighbor can and will farm, so don't complain about noise, odor etc....

It is important to note also that this is not a right to Pollute law, it's a right to farm law, and by implementing the Ag runoff standards on farms, you are assure they continue to have the right to farm, but they will minimize pollution and remain in compliance.

Hope this helps.

<https://wfbf.com/wisconsins-right-to-farm-law/#:~:text=Wisconsin's%20Right%20to%20Farm%20law%20provides%20farmers%20with%20protections%20from,State%20of%20Wisconsin%20et%20al>