

FACT SHEET

Winnebago County Livestock Waste Management Ordinance

PURPOSE

To protect the groundwater and surface water resources of Winnebago County by ensuring the safe handling and spreading of livestock waste as well as to regulate the location, design, construction, alteration, operation, and maintenance of all livestock facilities and livestock waste transfer and storage facilities; and to regulate the abandonment/closure of livestock waste transfer and storage facilities so as to protect the health and safety of residents and transients, prevent the spread of disease, and promote the prosperity and general welfare of the citizens of Winnebago County.

No person or their agent may construct, reconstruct, enlarge, or substantially alter any livestock facility or livestock waste storage facility without first obtaining a LIVESTOCK WASTE MANAGEMENT PERMIT from the Winnebago County Land and Water Conservation Department.

SPECIFIC ITEMS

- a. **LIVESTOCK.** Means animals including, but not limited to bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer and elk, farm-raised game birds, camelids (llamas) and ratites (emu).
- b. **LIVESTOCK FACILITIES.** Means a lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of livestock, specifically designed as a confinement area in which livestock waste may accumulate, or where the concentration of livestock is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be livestock facilities. Pastures shall not be considered livestock facilities under this ordinance.
- c. **LIVESTOCK FACILITY/LIVESTOCK WASTE STORAGE FACILITIES SETBACK REQUIREMENTS.** All new livestock facilities/ livestock waste storage facilities shall be sited a minimum of 50 feet from wells, and 300 feet from wetlands and surface water. Variances from these setbacks can only be granted by the Department in accordance with sec. 13.14 of this Chapter.
- d. **IDLE LIVESTOCK WASTE STORAGE FACILITIES.** Removal of livestock waste is required if the livestock waste storage facility has been idle for 24 months. Removal of livestock waste in an idle livestock waste storage facility to a safe and sanitary condition, as determined by the Department, is required within one year of the date it is deemed idle. The Department may extend the removal deadline for good cause; such extension shall not exceed one-year increments. After a livestock waste storage facility has been idle for 24 months it must be inspected by a qualified engineer or a DATCP, NRCS or LWCD engineering practitioner and all deficiencies corrected to current Technical Standards before it can be put back in service.

e. **LIVESTOCK WASTE STORAGE FACILITIES ABANDONMENT/CLOSURE.**

The owner and/or operator of any existing livestock waste storage facility in Winnebago County shall not abandon/close nor otherwise make said facility inoperative prior to submitting an approved Abandonment/Closure Plan and acquiring a Livestock Waste Management Permit. Existing manure storage facilities that are not properly functioning and pose unreasonable risks related to structural failure and leakage shall be upgraded, replaced or abandoned/closed in accordance with this Chapter.

f. **LIVESTOCK WASTE MANAGEMENT AND UTILIZATION.** Livestock waste for which transfer/storage permits are issued under this chapter of the Code and all waste from existing livestock waste transfer/storage facilities shall comply with Technical Standard 590, s. ATP 50.04 (3), Wis. Admin. Code, and s. NR 151.07, Wis. Admin. Code. A current Nutrient Management Plan shall be submitted to the Department by the owner or operator of the livestock waste transfer/storage facility by March 31st annually.

g. **LIVESTOCK WASTE MANAGEMENT AND APPLICATION.** All livestock waste shall be managed and applied in accordance with all current applicable technical standards. A Winnebago County Livestock Waste Application Guidance Document is available at the Department office and on the Winnebago County Land and Water Conservation Department website.

h. **LIVESTOCK WASTE PROHIBITIONS.** The following practices are prohibited pursuant of this ordinance:

- a) Overflow of livestock waste storage facilities.
- b) Unconfined livestock waste stacking (piling) within a "Water Quality Management Area". (A typical 140-bushel manure spreader contains about 175 cu. ft. of livestock waste. A pile or stack larger than approximately 6'x6'x5'.)
- c) Direct runoff of livestock waste or process wastewater to "Waters of the State".
- d) Unlimited access by livestock to "Waters of the State" in a location where high concentrations of animals prevent the maintenance of adequate sod cover.

PERMIT FEES

The initial fee for a permit under this chapter will be between \$100 and \$1,000 depending on the type of project.

The initial fee for a permit issued after the fact shall be doubled.

The extension fee for a permit under this chapter shall be \$100.00.

Contact the Winnebago County Land and Water Conservation Department (LWCD) at: (920)232-1950 or (920)727-8642.

Copies of the Livestock Waste Management Ordinance may be obtained on our website www.co.winnebago.wi.us/lwcd or at the LWCD office located at: 625 East County Road Y, Suite 100, Oshkosh, WI.