Meeting Agenda
Livestock Facility Siting Review Board

11:00 AM
March 31, 2017
DATCP Board Room
2811 Agriculture Drive, Madison

CALL TO ORDER – Andy Johnson, LFSRB Chair
- Open meeting notice
- Approval of agenda
- Approval of April 1, 2016 meeting minutes
- Member updates

WELCOME FROM DATCP SECRETARY – Ben Brancel, DATCP Secretary

ELECTION OF OFFICERS – Cheryl Daniels, Board Attorney

UPDATE ON LIVESTOCK SITING IN WISCONSIN – DATCP Staff

LOCAL IMPLEMENTATION ISSUES AND CHALLENGES – DATCP Staff
- Imposition of unauthorized conditions in permits
- Ensuring adequate land base for spreading manure
- Permit monitoring and enforcement
- Odor and setbacks

BREAK – The Board will not have a formal break for lunch but will have a short break and continue with a working lunch.

IMPLICATIONS FOR SITING RULE – DATCP Staff
- Discharge from calf hutches
- Discharge from vegetated treatment areas
- Incorporating the new NRCS 590 standard

DEPARTMENT UPDATE ON SITING RULE – DATCP Staff

TENTATIVE BOARD SCHEDULE FOR 2017 MEETINGS – No set meetings, although we will look to Fridays when requesting meeting dates.

ADJOURN
CALL TO ORDER— Andy Johnson, LFSRB Chair

The meeting was called to order by Chairman Andy Johnson at 11:00 a.m. Johnson, Raymond Diederich, Lee Engelbrecht, Dr. Jerome Gaska, Scott Sand, Bob Selk, and Bob Topel were in attendance. Others present included Fran Byerly (former board member), Cheryl Daniels (LFSRB Attorney), Karley Downing (DATCP Chief Legal Counsel), and DATCP Division of Agricultural Resource Management employees Richard Castelnuovo, Chris Clayton, Sue Porter, Keith Foye, and Lisa Trumble.

Clayton confirmed that the meeting was publicly noticed as required.

Engelbrecht moved to approve the agenda as presented, Gaska seconded, and the motion carried.

Topel moved to approve the February 27, 2015 minutes as prepared, Gaska seconded, and the motion carried.

ELECTION OF OFFICERS – Cheryl Daniels, Board Attorney

Selk moved to nominate Johnson for Chairman, Topel seconded the motion. Gaska moved to nominate Topel for Vice-Chairman, Engelbrecht seconded the motion. Engelbrecht moved to nominate Selk for Secretary, Topel seconded the motion. The nominations were closed and Engelbrecht moved to cast a unanimous ballot for the slate of officers, Diederich seconded the motion, and the motion carried.

UPDATE ON LIVESTOCK SITING IN WISCONSIN – DATCP Staff

Clayton provided an update on the implementation of the siting law. To date, 113 local governments have adopted ordinances giving them the authority to issue siting permits. This includes 24 counties, 83 towns, two cities, and four villages. Local governments have issued 139 siting permits. The group discussed local ordinances, such as those of Bayfield County and Town of Sylvester, which present interesting implementation challenges.
Clayton presented on the four-year review of ATCP 51, and included a summary of the recommendations of the technical expert committee. The committee consisted of 18 public and private sector members/advisors who were assigned to provide technical advice on siting rule to DATCP Secretary Brancel. Clayton highlighted recommendations related to incorporation of NR 151 and ATCP 50 standards, engineering, odor management, and nutrient management. As part of this presentation, Porter shared the details of new NRCS 590 standard for nutrient management.

Group discussion included: trends in issuance of siting permits; the interplay between the setback standard and odor management standard; technical expert committee recommendations on changes to the odor standard; the consequences related to a permit based on maximum number animal units at the facility; the science behind the odor and nutrient management standards; the role of local permitting authorities in monitoring compliance; and issues related to nutrient management planning such as identification of susceptible features (e.g. sinkholes).

Clayton completed his presentation by sharing information about ATCP 51 rule making activities including a review of the approved scope statement and the agency’s timetable for moving forward with the rule.

**ETHICS AND PUBLIC RECORDS PRESENTATION – Karley Downing, DATCP**

Downing provided an overview of the Wisconsin Public Records statute and its requirements, and focused on the consequences of deliberate actions to avoid compliance. She defined what is a record (e.g. non-transitory voicemails), and what is not (e.g. personal notes that are not shared). She discussed the retention of emails, and provided examples of transitory communications that do not need to be retained. She explained why paper records are treated differently than electronic records. A Records Disposition Authorization (RDA) control how long any particular record is required to be retained, and the methods for a record’s disposal. Downing recommends not sending text messages in connection with board business. Any Board member receiving a request for records should immediately forward the request to DATCP’s legal staff for processing. She suggested that the Department can assist board members with the retention of records.

**TENTATIVE BOARD SCHEDULE FOR 2016 MEETINGS**

No meeting dates were set, although the group agreed to focus on Fridays when requesting meeting dates. The board discussed possible appeals that might impact their schedule.

**ADJOURN**

Diederich moved to adjourn the meeting, Gaska seconded, and the meeting was adjourned at 2:05 p.m.

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Bob Selk, Secretary

Date

Recorder: RC and CC