Do you have an updated ordinance?

- Have you reviewed and amended your ordinance within the last 10 years?
- Do your ordinance definitions reflect current requirements?
- Is your ordinance consistent with the NR 151 standards for manure storage operation?
  - Must unsafe structures (threat to public health and groundwater) be repaired or closed?
Do you have an updated ordinance?

- Have you removed references to mismanaged or malfunctioning storage structures?
  - Does your ordinance require annual NM plans?
  - Is closure of manure storage regulated?
    - Is a permit required whenever a structure is closed?
    - Is closure mandated for unused structures?
Do you have an updated ordinance?

- Does your ordinance ensure the “cradle to grave” management allowed under NR 151?
- Does your ordinance implement the livestock management standards in NR 151?
  - Does it enforce NR 151 prohibitions against direct runoff and storage overflow
  - Does it enforce prohibitions against unconfined manure piles and overgrazing on streambanks?
Do you have an updated ordinance?

- Do you manage pastures using the most current standards?
- Have you considered prohibiting process waste water discharges and other new requirements?
  - Is your permit review process sound?
Do you have an updated ordinance?

- Does your ordinance have the full range of options to address violations?
- Are fees adequate to cover your costs?
- Does your ordinance recognize the limits on regulation?
  - No authority to grant variances
  - State requirements for more stringent standards
60 county ordinances

- All address construction
  Not everyone addresses closure

- A number regulate use
  (e.g. annual NM plans)

- Many enforce 2002 prohibitions in NR 151
Evolving NR 151 Runoff Standards

- Updated (2011) standards for manure storage construction, maintenance, and closure
- 2002 prohibitions (e.g. no feedlot runoff)
- New pasture standards (augmented by ATCP 50)
- New standards for process waste water discharges
- Expanded cropland standards (e.g. PI)
2014 ordinance standards in ATCP 50

- Reflects changes in storage design and management, including transfers of non-manure wastes
- Provides sufficient time for application reviews (e.g. 30-60 days)
- Clarifies relationship with siting law
  - Limits on issuing a county manure storage and siting permit
ORDINANCE NO. 99-B


The Richland County Board of Supervisors does hereby ordain as follows:

Section 1: INTRODUCTION

1.01 Authority

This Ordinance is adopted under Section 27.24 and 92.16, Wisconsin Statutes.

1.02 Title

This Ordinance shall be known as the Richland County Manure Storage Facility and is hereinafter referred to as "this Ordinance."

1.03 Findings and declaration of policy

The Richland County Board of Supervisors by accepting grants from the State of Wisconsin for priority watersheds is compelled to pass an ordinance that deals with the designing and constructing of manure storage facilities. The Board of Supervisors also realizes that a properly constructed and maintained system minimizes the risk of pollution to surface and ground water.

1.04 Purpose

The purpose of this Ordinance is to regulate the location, design, construction, installation and alteration and application of waste from all storage facilities covered by this Ordinance; in order to prevent water pollution and thereby protect the health of Richland County residents; and promote the prosperity and general welfare of the citizens of Richland County. This Ordinance is adopted to help realize the value that manure adds to the soils of Richland County. Maintaining positive economic impact in itself is a natural resource for the County. It is also intended to
Referencing statutory authority

Authority to enact and enforce building and sanitary codes

Sec. 14-36. - Authority.

This article of the Code is adopted pursuant to authority granted by Wis. Stats. §§ 59.01, 59.02, 59.03, 59.04, 59.54, 59.69, 59.70, 66.0113, 92.07, 92.09, 92.15 and 92.16.

(Res. No. 33-04, 6-15-04; Ord. of 6-21-10)

Authority to enact livestock regulations consistent with the performance standards

Source:
https://www.municode.com/library/wi/fond_du_lac_county/codes/code_of_ordinances?nodeId=CO_CH14AN_ARTIIILIMAMA_DIV1GE
Limited to unincorporated areas

S. 92.16 only authorizes application to unincorporated areas [77 Op. Att'y Gen. 87, 87 (1988)]

(e) **Applicability.** This section, to be effective upon adoption by the County Board, shall apply to all areas of Marathon County including municipalities that have agreed to allow the Department to enforce this ordinance in their jurisdiction (see last page for needed action).

Use intergovernmental agreement to administer village or city ordinance

Source: http://www.co.marathon.wi.us/Portals/0/Departments/CPZ/Documents/awordinance.pdf
Outdated definitions

Inconsistent with ATCP 50; fails to address transfer systems

(c) “Animal Waste” means livestock excreta and other materials such as bedding, rain or other water, soil, hair, feathers, and other debris normally included in animal waste handling operations.

(g) “Direct Runoff” means a pollutant discharge from a barnyard or feedlot.

(ac) “Substantial Alteration” means any modification to a storage facility that alters the integrity, capacity, or design requirements of the facility.

Inconsistent with NR 151

Source:
http://www.co.columbia.wi.us/ColumbiaCounty/Portals/16/Ordinance15.pdf
Update definitions for ATCP 50 consistency

(20) “Manure” means livestock excreta. “Manure” includes the following when intermingled with excreta in normal farming operations: debris including bedding, water, soil, hair, and feathers; processing derivatives including separated sand, separated manure solids, precipitated manure sludges, supernatants, digested liquids, composted biosolids, and process water; and runoff collected from barnyards, animal lots, and feed storage areas.

(c) “Manure storage facility” means one or more manure storage structures. “Manure storage facility” includes stationary equipment and piping used to load or unload a manure storage structure if the equipment is specifically designed for that purpose and is an integral part of the facility. “Manure storage facility” does not include equipment used to apply manure to land.

Supports regulation of materials transferred into storage
Update definitions for NR 151 consistency

(11) “Direct runoff” means a discharge of a significant amount of pollutants to waters of the state resulting from any of the following practices:
(a) Runoff from a manure storage facility.
(b) Runoff from an animal lot that can be predicted to reach surface waters of the state through a defined or channelized flow path or man–made conveyance.
(c) Discharge of leachate from a manure pile.
(d) Seepage from a manure storage facility.
(e) Construction of a manure storage facility in permeable soils or over fractured bedrock without a liner designed in accordance with s.NR154.04 (3).

(39) “Substantially altered” means a change initiated by an owner or operator that results in a relocation of a structure or facility or significant changes to the size, depth, or configuration of a structure or facility including:
(a) Replacement of a liner in a manure storage structure.
(b) An increase in the volumetric capacity or area of a structure or facility by greater than 20%.
(c) A change in a structure or facility related to a change in livestock management from one species of livestock to another such as cattle to poultry.

Necessary to define condition for permit

Incorporate definitions by reference

(11) “Manure Storage Facility” means a facility as defined in Wisconsin Administrative Code, ATCP 50.62(1)(c), or any amendments thereto.

(12) “Manure Storage Structure” means a structure as defined in Wisconsin Administrative Code, ATCP 50.62(1)(d), or any amendments thereto.

Ensures consistency over time

Incorporating new NR 151 standards

(2) MANURE STORAGE FACILITIES.
(a) Applicability. All livestock producers building new manure storage facilities, substantially altering manure storage facilities, or choosing to abandon their manure storage facilities shall comply with this section.
(b) New construction and alterations.
1. New or substantially altered manure storage facilities shall be designed, constructed and maintained to minimize the risk of structural failure of the facility, minimize leakage of the facility in order to comply with groundwater standards, and maintain one foot of freeboard storage or adequate freeboard storage to the equivalent volume of a 25-year, 24-hour storm, whichever is greater.
3. A substantially altered manure storage facility is a manure storage facility that is substantially altered after October 1, 2002.

Captures 2011 changes in storage capacity

SECTION 4
Standards

4.01 Standards for Animal Waste Storage Facilities

The standards for design and construction of animal waste storage facilities are those in standards 313, 367 and 634 of the field office technical guide.

4.02 Standard for Animal Waste Management and Utilization

The standards for management of animal waste facilities and utilization of animal waste are those within standard 590 of the field office technical guide.

4.03 Standard for Closure of Waste Impoundments

The standards for design and construction of an animal waste storage facility closure are those within standard 360 of the field office technical guide.

NRCS 367 is not current, but 313 is.
(10) **Permit Conditions.** All permits issued under this ordinance shall be issued subject to the following conditions and requirements:

(f) Nutrient management plans shall be submitted to the Brown County Land Conservation Department annually by June 1.

Source: http://www.co.brown.wi.us/i_brown/d/county_clerk/chap026-updated_6-1-10.pdf
Outdated concept: Mismanaged

20. *“Mismanaged Animal Waste Storage Facility”* – An animal waste storage facility which is not functioning properly due to neglect or carelessness and poses a potential threat to any person or the environment. A mismanaged storage facility includes, but is not limited to the following:
   a) An animal waste storage facility that is being operated improperly and is inconsistent with the recommended operating methods as determined by the FOTG, AWMFH or the EFH (defined per Section 336-9).
   b) An animal waste storage facility in which the safety devices are absent or are nonfunctional.
   c) An animal waste storage facility that fails to comply with the operations and maintenance plan.

Section 336-12 Malfunctioning and Mismanaged Storage Facility.

Malfunctioning or mismanaged storage facilities are a menace to the health and general welfare of the citizens of Green Lake County; are declared to be nuisances, and may be subject to forfeiture and any injunction provisions of this ordinance.

2. **Mismanaged Storage Facility**
   A waste storage facility found to be mismanaged shall be brought into compliance with the ordinance within a time frame as determined by the LCD depending on the severity of mismanagement. The time frame will not exceed one (1) year and compliance may include clean-up of the waste as determined by the LCD. The decision of the LCD may be appealed to the LCC.

Use “failing and leaking” to be consistent with NR 151

3. Failing and leaking existing facilities – Livestock waste storage facilities that pose an imminent threat to public health or fish and aquatic life or are causing a violation of groundwater standards shall be upgraded, replaced or abandoned in accordance with this section.
Options for failing and leaking structures

(b) Failing and Leaking. Failing and leaking waste storage facilities are a menace to the health and general welfare of the citizens of Marathon County, and shall be subject to forfeiture and injunction provisions of this section. A storage facility found to be failing or leaking shall be brought up to, and maintained in, a sanitary condition within the time frame identified by the department. These waste storage facilities shall be repaired to a condition meeting the Technical Standards of the Department within two (2) years of the date that the storage facility is determined to be failing or leaking.

Provides options of forfeiture and nuisance declaration to address these facilities

Source:
http://www.co.marathon.wi.us/Portals/0/Departments/CPZ/Documents/awordinance.pdf
Inspection requirement to reuse idle facility

(3) Re-use of an Idle and/or Abandoned Animal Waste Storage Facility: Any person wanting to re-use an animal waste storage facility after it has been determined to be idle and/or abandoned for a period of twelve (12) consecutive months shall notify the Iowa County Office of Planning and Development to inform them of their intent. Before re-use is authorized the following procedure shall be used:

For Concrete Facilities:

a. A visual inspection will be conducted by the LCD.
b. If found to be structurally sound and not leaking, re-use will be approved.
c. If found to be structurally unsound or leaking, re-use will be denied.

For Earthen Facilities:

a. Proof of facility meeting NRCS standards and specifications applicable to this ordinance must be provided to the LCD.
b. If proof is provided that facility meets NRCS standards and specifications, re-use will be allowed.
c. If proof cannot be provided that facility meets NRCS standards and specifications, re-use will not be allowed.

Different standards to evaluate safety

Source:
Clearly defined permit requirements

Ordinance, and without compliance with the USDA-NRCS Technical Guide as adopted as part of this Ordinance. The Specific conditions under which a permit is required are shown in Table 2.

<table>
<thead>
<tr>
<th>Permits Required for Livestock Waste Storage Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New</strong></td>
</tr>
<tr>
<td><strong>Existing</strong></td>
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Establishing operating conditions

2. Operation
   a. An animal waste storage facility shall not be used for any use other than its original intended use unless authorized by a use conversion under §11.3 E.
   b. Waste products that are not authorized in the original permit shall not be placed in an animal waste storage facility without prior approval from the Code Administrator.
   c. The animal waste storage facility shall comply with the owner/operator’s submitted 590 Nutrient Management Plan.

3. Annual Updates
   a. The owner/operator is required to update the 590 Nutrient Management Plan on an annual basis with full soil tests on each field required every four years.
   b. The owner/operator or current landowner shall submit annually the 590 Nutrient Management Plan checklist, actual application rates of animal waste and location applied on crop fields, and any updates to the 590 Nutrient Management Plan to the Land and Water Conservation Department.

4. Ongoing Compliance
   a. The owner/operator shall fully comply with State Agricultural Performance Standards and Prohibitions found in Wisconsin Administrative Code Chs. ATCP 50 and NR 151 and shall remain in full compliance with these standards and prohibitions.
   b. The owner/operator will be sent a self-certification form from the Land and Water Conservation Department.

Creates ongoing compliance responsibilities beyond NM (limit to manure storage)

Source: http://www.co.saint-croix.wi.us/vertical/sites/%7BBC2127FC-9D61-44F6-A557-17F280990A45%7D/uploads/Ch_11_Animal_Waste_Ord(1).pdf
Regulate NM plans with a certificate of use

(1) Certificate Requirement. No person may operate or use an animal waste storage facility or any portion of an animal waste storage facility that was constructed after the effective date of this ordinance unless the person has a valid certificate of use for the storage facility or portion of the animal waste storage facility that is being operated or used.

(2) Issuance. SWCD will issue a certificate of use upon receipt of the written certification required by sec. 26.05(6)(d).

(3) Nutrient Management Plan Requirement. The owner or operator of a storage facility must annually prepare and follow a nutrient management plan that complies with technical standard 590. A copy of the nutrient management plan must be provided to SWCD upon request.

Enforces annual plan requirement as part of certificate

Certificate of use with revocation clause

(8) Certificate of Use.

(a) No person may operate or use a manure storage facility or any portion of a Manure Storage Facility that was constructed after the effective date of this ordinance unless the person has been issued a valid Certificate of Use for the Manure Storage Facility or portion of the Manure Storage Facility that is being operated or used. The Dodge County Land Conservation Department will issue a Certificate of Use upon receipt of the written certification required by section (E)(6)(h).

(b) Certificate of Use Conditions. All Certificates of Use under this ordinance shall be considered valid subject to the following conditions and requirements:

1. A nutrient management plan that complies with the requirements of Technical Standard 590 must be annually prepared and followed, and be provided to the Land Conservation Department upon request. Annual updated plans and plan checklists, and appropriate implementation records for the four previous years shall be retained and produced at the request of the Land Conservation Department.

(c) Certificate of Use Revocation. The Dodge County Land Conservation Department may revoke any Certificate of Use issued under this ordinance if the holder of the permit has misrepresented any information in the Manure Storage Facility Construction Plan, has failed to comply with the nutrient management plan requirement, has failed to provide the Dodge County Land Conservation Department with a copy of the nutrient management plan and plan checklist upon request, has failed to operate and maintain Manure Storage Facilities in compliance with applicable technical standards in Section D, or for multiple or repeat violations of this ordinance. The Land Conservation Department will immediately provide written notice of the revocation and the reason for the revocation.
Cost-sharing changes and ordinance requirements

ORDINANCE NO. 2014-12

Revisions to Animal Waste Storage and Nutrient Management Ordinance

Executive Summary

Section 3: Activities Subject To Regulation

- The cost-sharing requirement language was deleted because the State rules on cost sharing have become more complicated. The requirements are related to various dates of operation and do not cover all practices (such as closure of manure storage for structures constructed on or after October 2002). Staff will continue to provide cost-sharing to farms according to the State rules.

NR 151 ended the cost-share requirement for closing storage facilities that do not meet s. NR 151.05 (3) and were either constructed on or after Oct. 1, 2002, or subject maintenance agreement after the date

Source:
I. Manure Management Prohibitions:

a. All livestock producers shall comply with this section.

b. A livestock operation shall have no overflow of manure storage facilities.

c. A livestock operation shall have no unconfined manure pile in a water quality management area.

d. A livestock operation shall have no direct runoff from a feedlot or stored manure into the waters of the state.

e. A livestock operation may not allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover.

f. This prohibition does not apply to properly designed, installed and maintained livestock or farm equipment crossings.

Source:
http://www.co.waupaca.wi.us/Portals/0/DeptFiles/LandAndWater/AnimalWasteStorageOrdinance.pdf
Unconfined stacking as permitted activity

(e) No unconfined manure pile shall be utilized without a temporary unconfined manure stacking permit as provided in this ordinance, and without compliance with the provisions of this ordinance, and without compliance with Natural Resources Conservation Service Technical Guide as adopted as part of this ordinance.

(8) **Temporary Unconfined Manure Stacking Requirements.** Each application for a permit under this section shall include a site plan. The plan shall specify:

(a) Waste consistencies. Waste materials having less than 16% solids shall not be stacked in the field.

(b) Size and stacking period.

(c) Hydrologic Soil Groups.

(d) Subsurface Separation Distance.

(e) Surface Separation Distances.

Permit for winter spreading of liquid manure

14.18 STORED PUMPABLE LIQUID MANURE WINTER APPLICATION PERMIT. (1) No person may apply stored, pumpable liquid manure on either frozen or on snow-covered or on ice-covered cropland, unless the liquid manure is effectively incorporated, without first obtaining a winter application permit issued under this subchapter. Said permit shall be issued after the receipt and approval, by the department, of a conservation plan as described in section 14.17 of this subchapter. The permit shall remain in effect for three (3) years or until the permit is revoked by the department pursuant to section 14.20 of this subchapter. (2) Liquid Manure Winter Application Plan. At a minimum, a stored, pumpable liquid manure winter application plan must meet the following conditions and requirements:
Section 336-15 Agriculture Performance Standards and Prohibitions.

1. Manure Management Prohibitions
Any person owning or managing a livestock operation within Green Lake County shall manage their operations so as to prohibit any of the following:
   a) The overflow of manure storage structures.
   b) Any unconfined manure stacking (piling) within water quality management areas (adjacent to stream banks, lakeshores, and in drainage channels.)
   c) The direct runoff from feedlots or stored manure to waters of the state.
   d) The unlimited livestock access to waters of the state where high concentrations of animals prevent adequate sod cover maintenance.

2. Processed Wastewater Handling Performance Standard
   a) There may be no significant discharge of processed wastewater to waters of the state as determined by the LCD.

3. Human Waste Prohibition
Human waste and associated wastewater shall not be discharged into animal waste storage facilities unless permitted by applicable federal, state, or county regulations or codes. This prohibition applies to the disposal of human waste and wastewater.

Stronger review process

Sets a reasonable time to evaluate application completeness and conduct a permit review

§ 101-44. Review of application and plans.

The Department shall receive and review all permit applications. The Department shall determine if the proposed facility meets required standards set forth in §§ 101-35 and 101-36 of this article. Within 45 days after the Department receives an application, the Department shall notify the applicant if the application is complete. If additional information is required, the notice shall specifically describe what else is needed. Within 14 days after the applicant has provided the additional information, the Department shall notify the applicant that the application is complete. Within 90 days after giving notice that the application is complete, the Department shall inform the applicant in writing whether the permit application is approved or disapproved. If the Department fails to approve or disapprove the permit application in writing within 90 days of the receipt of the permit application, as appropriate, the application shall be deemed approved, and the applicant may proceed as if the permit had been issued.
5.06 Permit Conditions
All permits issued under this ordinance shall be subject to the following conditions and requirements:

(e) The permittee certifies in writing that all other local, city, County, State or Federally required permits shall be obtained from the appropriate authorities. The department may require proof of any permit known to be needed prior to issuing an Animal Waste Storage Facility Permit or Animal Waste Storage Facility Closure Permit. [Ord. No. 2014-12, 06-10-2014]

(f) Any change to an approved Animal Waste Storage Facility Plan or closure design shall be approved in writing by the Jefferson County Land and Water Conservation Department. Written approval by the Department shall occur only after the DATCP engineer or designee, registered professional engineer, or state, federal, or local agency staff person, having the appropriate engineering certification, has reviewed and approved the proposed modifications. [Ord. No. 2014-12, 06-10-2014]
Strong enforcement standards

Abating nuisance (e.g. idle storage without fence)

(5) Abatement Order Authority. The Director may issue an order to abate any violation of this ordinance.

(6) Citation Authority. The Director may cite for violation of this ordinance.

(7) Referral Authority. The Director may refer any violation to the Corporation Counsel for legal action.

(8) Other Enforcement Means. Nothing in this section may be construed to prevent the county from using any other lawful means to enforce this ordinance.

Strong enforcement standards

Higher minimums and maximum forfeitures

(1) Except as provided in subs. (2) through (5), a person will, upon conviction for a violation of this ordinance, forfeit not less than $250 nor more than $500 for each offense, together with the costs of prosecution for each violation, and may be ordered to take such action as is necessary to abate the offense within a specified time.

(2) A person will, upon conviction for a violation of any provision contained in sec. 19.04, forfeit not less than $500 nor more than $1,000 for each offense, together with the costs of prosecution for each violation, and may be ordered to take such action as is necessary to abate the offense within a specified time.

(3) A person will, upon conviction for a violation of any provision contained in sec. 19.04 involving the discharge of animal waste from a subsurface drain, such as field tile, that results in loss of fish and aquatic life, forfeit not less than $1,000 nor more than $5,000 for each offense, together with the costs of prosecution for each violation, and may be ordered to take such action as is necessary to abate the offense within a specified time.

Nuisance option

Repair or close storage without cost-sharing

(7) VIOLATIONS.
   (a) **Penalties.** Any person who violates, neglects or refuses to comply with or resists the enforcement of any of the provisions of this section, shall be subject to the penalty provisions Chapter 25.04 Crawford County Code of Ordinances: Construction and Effect of Ordinances, Penalty Provisions. In addition to any other penalty imposed by this ordinance, the cost of abatement of any public nuisance on the licensed premises by the county may be collected under this ordinance or Sec. 823.06 of Wis. Statutes against the owner of the real estate upon which the public nuisance exists. Such costs of abatement may be recovered against the real estate as a special charge under Sec. 66.0627 of Wis. Statutes unless paid earlier.

Place charge on tax roll as lien against property

Source:
Are fees adequate?
Fee adjustments

(b) Fees may be waived under the following conditions:

(1) A separate construction and use permit application fee is waived for a Manure Transfer System or Waste Treatment Facility if the system or facility is built in conjunction with and at the same time as a Manure Storage Facility for which the permit fee was paid.

(2) The construction and use fee shall be waived if a permit application is solely for a Manure Transfer System and the transfer system does not include a reception tank that holds or stores 300 cubic feet or more of manure.

(c) No application fee shall be charged for a Closure Permit.

(d) All fees shall be doubled if any excavation, construction, or other activity that requires a permit under this ordinance occurs before a permit is issued, with the exception of a Closure Permit.
Limitations on local livestock regulation under s. 92.15

- Cost-sharing required to enforce against existing facilities, except:
  - Nutrient management plans enforced via permit
  - Repair and closure of post-2002 facilities
- Agency approval of more stringent water quality regulation
Road and property line setback

Within ATCP 51 standard for livestock siting

(d) A new waste storage facility may not be located within 350 feet of any property line, or within 350 feet of the nearest point of any public road right-of-way, unless the waste storage facility is a single new waste storage facility constructed no closer to the relevant property line or public road than a waste storage facility that existed on the same tax parcel prior to January 2014, provided that the new structure is no larger than the existing facility and is located within 50 feet of the existing facility. The 350 foot setback does not apply to waste storage completely contained under a building used to house livestock. However, all Jefferson County Zoning Ordinance setbacks for buildings are applicable. [Ord. No. 2014-12, 06-10-2014]

Authorized by s. 59.70, not s. 92.16, Stats.

Siting requirements
Water quality setback

Consistent with NRC 313

16.16.490 **Setbacks from Water**
Animal waste storage facilities shall be located at least three hundred feet from any navigable water and shall be designed, as specified in NRCS Field Office Technical Guide, to protect navigable waters and drainage ways from accidental spills and runoff from loading areas.

16.16.500 **Floodplains and other Water Bodies**
(1) No animal waste storage facility will be permitted to be built in the 100-year flood plain of a stream, lake or flowage.
(2) No animal waste storage facility will be permitted to be built in a wetland, or within 100 feet of its outermost boundary.

Authorized by ch. 59, not s. 92.16, Stats.

Source: http://www.co.clark.wi.us/documentcenter/view/32
Engineering approval for variance from standards

County cannot issue variance without approval

(4)(AM 98-23)(AM 03-42)(AM 06-17) Technical Standards. (a) Applicable Technical Standards. The technical standards listed below shall be adhered to during any activities permitted under the authority of this chapter. A copy of these standards can be obtained from the Department.

(c) Variances. Variances from these standards can only be granted by the custodian of the technical standards or through an appeal by the applicant in accordance with sec. 16.06 of this chapter unless otherwise acted upon by the Committee.

(b) The Committee may authorize a variance from the requirements of this chapter contingent on the applicant receiving a variance from the technical standards through the Natural Resources Conservation Service or other qualified engineering authority. If public funds are involved, this may be a program requirement.

Source:
Lisa Trumble
Richard Castelnuovo
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