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DNR approves permit for controversial Kewaunee Co. CAFO

Laura Schulte

Milwaukee Journal Sentinel

USA TODAY NETWORK - WISCONSIN

MADISON - A large-scale livestock farm in Kewaunee County must monitor groundwater more closely and will face a smaller animal cap than previously pro-

posed, under a permit approved by the state.

The Department of Natural Resources Friday announced it would issue Kinnard Farms a wastewater permit, which will expire in January 2023.

As conditions of the permit, the farm may not exceed 11,369 animal units,

equating to about 8,000 cows, which is the number the farm currently houses. The permit notes that the farm currently has no plans to expand before next January.

The permit will also require the farm to

See DNR, Page 3A

The war in Ukraine is hitting local farmers;

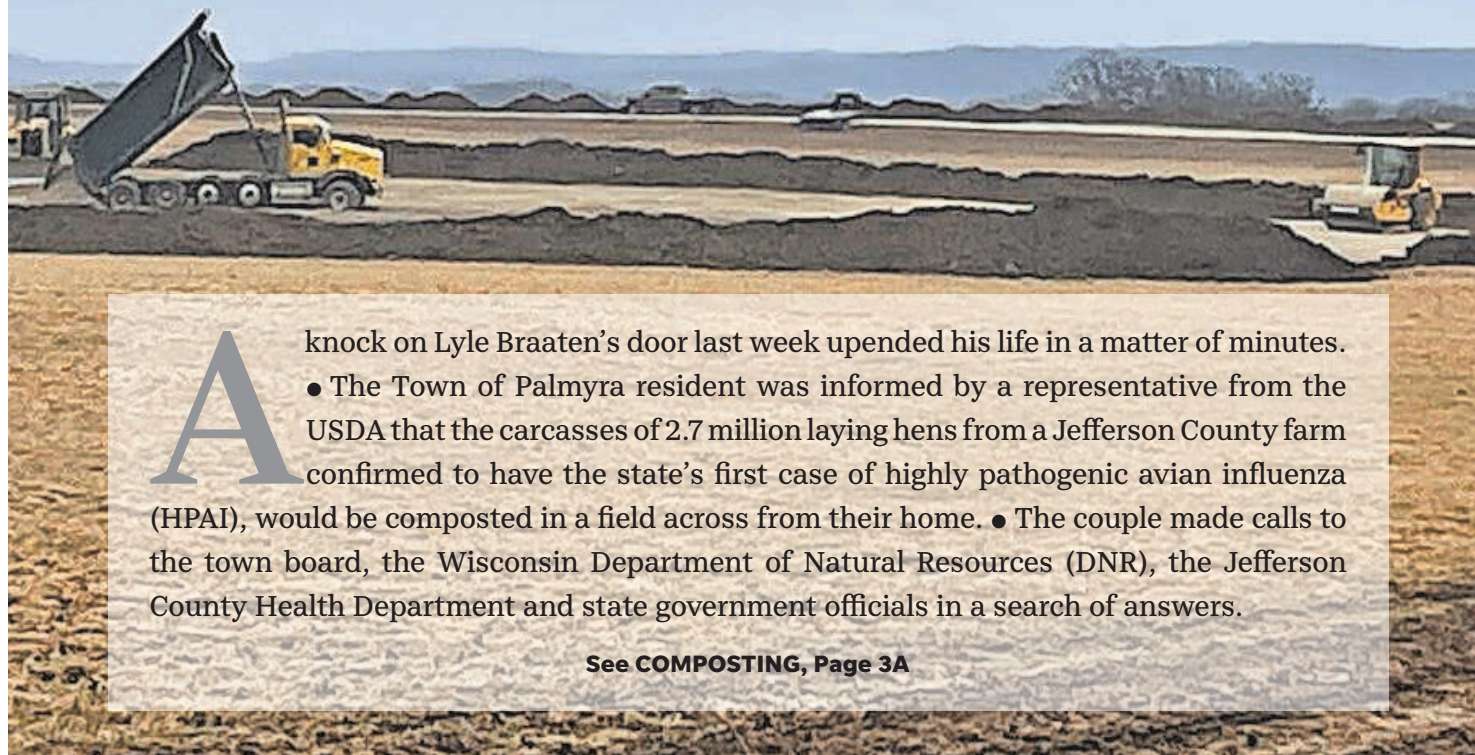
Could raise food prices

D1

'It's hard to sleep at night'

Town of Palmyra neighbors fear unknown in bird flu composting operation

Colleen Kottke and Amber Burke Wisconsin State Farmer



A knock on Lyle Braaten's door last week upended his life in a matter of minutes. • The Town of Palmyra resident was informed by a representative from the USDA that the carcasses of 2.7 million laying hens from a Jefferson County farm confirmed to have the state's first case of highly pathogenic avian influenza (HPAI), would be composted in a field across from their home. • The couple made calls to the town board, the Wisconsin Department of Natural Resources (DNR), the Jefferson County Health Department and state government officials in a search of answers.

See COMPOSTING, Page 3A

Contractors prepare the site on a 40-acre parcel of land in the town of Palmyra that will be used to compost millions of chicken carcasses from a Jefferson County poultry operation hit by the highly pathogenic avian influenza virus. Long windrows of compost material will encase the birds as they decompose, eradicating the virus, according to USDA standards of safe disposal. AMBER BURKE

Visitors, exhibitors happy to be back at the 2022 WPS Farm Show

Amber Burke

Wisconsin State Farmer

After a two-year hiatus due to the Covid-19 pandemic, vast crowds of people turned out to the EAA Grounds in Oshkosh on Tuesday, March 29 for the WPS Farm Show. Cold weather and blustery winds didn't stop the masses as parking lots were full by 10 a.m.

Milo Schmucker, who provides spray foam insulation for Hartand Enterprising in Bonduel, said this was the best day he has seen at the trade show since he started exhibiting in 2014. "We have had extremely high interest in our business so far. I have three pages of leads and its only 11:00!"

See FARM SHOW, Page 2A



First-Time Exhibitor, Jesse Lallier of Skidloadersplus braves the elements at his outdoor booth. AMBER BURKE



Farmers and ag businesses

prepare for spring planting season

D1



Deciding which replacement heifers

will make the final cut for the milking herd

D3

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Composting

Continued from Page 1A

"We feel like the whole situation has been handled poorly and just want our questions answered," Braaten said. "We want to ensure that our well is not going to be affected and our water will be safe to drink, not to mention the value of our property in general."

Samantha Otterson, spokesperson for the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), says the multi-agency response team comprised of officials from DATCP, U.S. Department of Agriculture (USDA) and the DNR have been busy responding to the incident in an appropriate and effective manner since the HPAI virus was confirmed on March 14 at Cold Spring Egg Farms, owned by S&R Egg Company.

Otterson says she and her counterpart from the USDA have been fielding questions from concerned neighbors living near the site where the birds will be composted.

"I've had many phone and in-person conversations on doorsteps with neighbors explaining the process of composting, and the fact that we're not burying the birds," she says. "We don't want people to be scared, and we know that composting is the most effective and efficient way to handle large volumes of carcasses."

Site selection

Keith Poulsen, an expert in veterinary infectious diseases with the Wisconsin Veterinary Diagnostic Laboratory and School of Veterinary Medicine says the state agriculture department, DNR and USDA has amassed a trove of information on composting infected birds since the 2015 avian influenza outbreak in Wisconsin that impacted nine commercial flocks and one backyard flock, causing the loss of more than 1.9 million birds.

"The process they're using is pretty well studied and backed up by peer reviewed literature. Composting is the best way to deal with the birds in this situation since we don't have a large-scale incinerator, which comes with air quality issues of its own," Poulsen said. "Heat generated in the composting process is very effective in deactivating the avian influenza virus."

With an outbreak of HPAI, options to dispose birds become more limited. Ideally the less movement of dead birds and infected litter/eggs is best, as the main goal is to prevent disease spread and ensure biosecurity of other poultry houses and neighboring farms.

While some birds have already been composted on-site within an existing building, Otterson says DNR officials rejected composting the large majority of birds on land surrounding Cold Spring Egg Farms, deeming the site not viable due to the water table being too high. The preferred depth to groundwater should exceed 24 inches to seasonal highwater tables and on-site soil depths should exceed 36 inches to bedrock, according to USDA guidelines.

"Certainly we tried to defer to composting on site as it makes it easier in many different realms," Otterson said.

Following USDA animal mortality composting

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Town of Palmyra residents Lyle and Kay Braaten live across the road from a 40-acre field that will be used to compost nearly 3 million laying hens from a nearby commercial poultry operation hit by avian influenza. The couple fear the water supply of their home of 15 years will be impacted by the decomposing carcasses.

PHOTOS BY AMBER BURKE



A dump truck moves along a newly constructed service road leading to a site that will be used to compost millions of laying hens impacted by the highly pathogenic avian influenza virus on a Jefferson County poultry farm. The land parcel, selected by the DNR, is owned by S&R Egg Company.

DNR

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monitor at least two sites where it applies manure to the land as fertilizer, with at least three wells per site. The sites selected must have a shallow depth to the bedrock, where the groundwater flows.

Residents concerns about water

During the review of the permit, residents expressed concerns about the impact of the facility on their drinking water, a fact that Kewaunee County resident Jodi Parins thinks the DNR took into account with the new permit.

"This is the first time that the DNR has ever acquiesced to the feedback that was provided to them during the public notification process. And I think the difference in their initial permit and this one is shocking," she said. "And it's also strikingly similar to the suggestions that were made during the public hearings."

Other residents also weighed in on the decision with thanks for all who spoke at the public hearings held by the DNR.

"It's long past time that decision makers put the health and safety of our community first. We are grateful to members of this community and to people all over the state who spoke up during the public comment period and told the DNR that the draft permit wasn't good enough," said Kewaunee County resident Nancy Utesch in a news release. "Public participation really made a difference in this case."

Midwest Environmental Advocates, a nonprofit environmental advocacy group, also applauded the permit in a news release.

"Limiting the number of animals makes sense, given the overwhelming amount of manure that is already being applied to fields in the area," said staff attorney Adam Voskuil. "More cows would lead to more pollution — there's just nowhere for additional manure to be safely spread."

Monitoring plan required

The farm will be required to submit a plan for monitoring the groundwater by May 25, according to the permit. After the plan is approved, Kinnard Farms will be responsible for installing the wells and monitoring the water for contaminants such as nitrogen, ammonia, nitrates, potassium and E. coli.

The wells will also have to be equipped with technology that will monitor the changes in the groundwater levels from day to day and season to season. That's

a huge win for residents, Parins said, who have been asking the DNR to take into account the hydrogeologic features of the region.

The area where Kinnard Farms is located is known for its unique hydrogeology. In some spots, the bedrock which houses groundwater is a short distance from the topsoil on which manure is applied, while in other areas, there are hundreds of feet between the top soil and the groundwater.

Kinnard Farms is one of Wisconsin's largest dairy farms, located in Kewaunee County in northeastern Wisconsin. The county — which is home to 16 industrial farms, also known as CAFOs, or concentrated animal feeding operations — has been facing controversy over the issue of agricultural pollution for years, after testing showed levels of contaminants in residents' private drinking water wells.

The pollution issues stem from the land application of manure during the spring, summer and fall, which then soaks into the ground and is able to leach into groundwater. Residents have sometimes experienced brown, foul-smelling water coming out of their taps, and testing has shown elevated levels of ammonia and phosphorus in drinking water, both indicators of manure.

The DNR held a public hearing for the permit reissue in January, during which Kewaunee County residents blasted the agency for seemingly not applying a July Supreme Court ruling that strengthened the DNR's hand in permitting decisions.

In the ruling, a majority concluded the DNR has the authority to put conditions on the wastewater permits for the dairy farm.

The decision also found that the DNR could limit the number of animal units at the dairy farm and require groundwater monitoring because of the agency's responsibility to limit the release of manure into waterways.

The DNR then brought forward a permit that included an animal cap of 21,450 animal units, or about 14,000 cows for the farm, which caused outrage within the community and concerns about the amount of manure spread on farmland in the area nearly doubling.

But while this permit is a big win for residents in the Kewaunee County area, Parins is worried the victory won't last. With an upcoming gubernatorial election, the leadership at the DNR could change, leading to changes in how permits are handled.

"The state agencies who are tasked with the protection of our natural resources are political in nature. In our current administration, I feel that this is the first time ever in a decade of doing this that the DNR leadership has truly listened," she said.

"As far as what happens in the future, I don't think that we can look at this and say, 'This is a pattern for

what's going to happen.' Because if we continue to be blocked from environmental regulations by an unfriendly Legislature, we will go backwards."

Laura Schulte can be reached at leschulte@jrn.com and on Twitter at @SchulteLaura.



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Lawmakers may overturn rule forcing local fairs to pay some winners

Benjamin Yount
The Center Square contributor

(The Center Square) – The state of Wisconsin wants to stop paying people who win multiple prizes at multiple county or district fairs, but lawmakers in Madison say that could kill those local fairs.

Sen. Howard Marklein, R-Spring Green, said they discovered a new rule from the state's Department of Agriculture, Trade and Consumer Protection last week that would limit state-paid premiums to winners at just one local fair. After the first first-prize, other local fairs would be 100% responsible for all prizes for that same winner.

"This means that if someone wins an award at the Elroy Fair, the Juneau County Fair would not be able to be reimbursed for the premium if they won at the Juneau County Fair," Marklein explained.

Wisconsin has traditionally covered

almost the entire cost of all premiums at almost every fair in the state.

The dollar amounts may be small, the Juneau County Fair paid last year's fair winners \$6 for most categories, but there are a lot of premiums and a lot of competitors. Marklein said it all adds up.

"Our local fairs ... are coordinated by volunteers on a shoestring budget. Making up the difference of a few thousand dollars is a big deal," Marklein said. "The Juneau County Fair, for example, estimates that they would lose 61% of their state aids if this rule proceeds. In 2019, they shared 63 exhibitors with the Elroy Fair. Leadership from the Elroy Fair said that they have approximately 2,800 exhibitors each year. They said the burden on their volunteer fair staff to track whether or not an exhibitor has won at another fair would be enormous."

Marklein said the Senate's Committees on Agriculture has about 30 days to review the fair premium rule, and de-



The state of Wisconsin wants to stop paying people who win multiple prizes at multiple county or district fairs, but lawmakers in Madison say that could kill those local fairs. COURTESY OF TARI COSTELLO

cide if they want to change it.

"[We] now we must decide whether to object to all or part of the rule for specified reasons. The committee may request changes to the rule. I will be working with my colleagues to deter-

mine our path forward," Marklein added.

Fair season is quickly approaching in Wisconsin. Most fairs in the state begin in July and run through the end of August.

Composting

Continued from Page 3A

guidelines, Otterson says DNR officials evaluated several potential composting locations in Jefferson County before settling on a land parcel near Palmyra owned by S&R Egg Company.

According to DATCP, the site meets both locational and size criteria for composting.

In addition to meeting the groundwater requirement, the site met other criteria: located 200 feet from a water supply well used for drinking, water bodies and nearby residences; 50 feet from a drainage swale leading into a water body; and 25 feet from a drainage swale not leading to a water body.

While Poulsen understands residents concerns, he says experts from all involved agencies have put in a lot of thought and pre-planning before moving forward with disposing the birds.

"They're taking everyone's viewpoint into account, because the consequences of being wrong are pretty high," Poulsen said. "Safety is extremely high for all stakeholders involved. It's unfortunate when everyone is so busy communication can fall between the cracks."

Effective alternative

Composting provides an inexpensive alternative for disposing dead animals. Laura Blanton, assistant director at USDA Animal and Plant Health, says temperatures achieved during properly managed composting will kill most pathogens, reducing the chance to spread disease. The process is relatively odor-free and both egg and hatching waste can be composted as well.

Crews are currently constructing the compost site which includes establishing large windrows with thick layers of carbon-based compost chips on top and underneath the carcasses. Encasing and topping the birds with at least one foot of the carbon layer encourages the higher temperatures that speed decomposition, absorbs odors, and provides additional protection against water penetrating to the area of the windrow where the carcasses have been placed.

"That also helps to mitigate the smell and to make sure animals can't access the dead birds buried inside," Otterson said.

Disease transmission

Carrie Walsh, who also lives nearby, expressed concerns over the animals on her family farm being exposed to the avian flu.

"It's hard to sleep at night when you don't know what is going on," she said.

Ron Kean, a faculty associate and extension specialist in the University of Wisconsin-Madison Department of Animal and Dairy Sciences doesn't believe there's any evidence of cross contami-



Several barns used to house laying hens on the Cold Spring Egg Farm are visible along Hwy 59 between Palmyra and Whitewater. A highly pathogenic strain of avian influenza was identified at the farm in mid-March. AMBER BURKE

nation of HPAI with any other animals other than birds. Those with backyard flocks, however, should remain vigilant.

"Anything you can do to discourage any live wild bird interaction by keeping other animals out of the facility is best," Kean said. DATCP officials are still investigating how the virus entered the Cold Spring Egg Farm facility.

According to the USDA, compost piles will be inspected regularly by staff from the farm, DNR, and DATCP for any evidence of leakage, odor, and disruption.

The full composting process takes approximately 30 days from final construction and involves daily monitoring to ensure the compost is reaching the optimum temperature to deactivate the virus as quickly as possible. Windrows will reach temperatures exceeding 130 degrees for at least 72 hours and is sufficient to inactivate many pathogens including avian influenza.

Before the composting materials can be released and the quarantine zone lifted, officials will pull samples from the site and send them to the Wisconsin Veterinary Diagnostic Laboratory to test for evidence of pathogens.

"They are very careful in making sure these samples are representative of the entire site because the consequences of being wrong are very high. So they need a high certainty before lifting that quarantine zone," Poulsen said.

Currently poultry premises within 10 kilometers of Cold Spring Egg Farm are being monitored for the virus and are restricted from moving poultry and poul-

try products.

After the composting process is complete and the compost has been released by DATCP, the compost will be removed from the premises at the discretion of the land owner.

Understanding stress

Scott Schneider, owner and operator of Nature Link Farms, a commercial poultry operation in Lake Mills, knows firsthand of the stress avian influenza can cause, as his farm was struck by the devastating disease in 2015.

"It certainly was quite an ordeal working with all of the different governmental agencies," Schneider said. "My biggest takeaway was that they were all extremely helpful and provided excellent support. They made a very difficult situation more tolerable."

Schneider also used the USDA's composting plan.

"It was a prescribed formula," he explained. "Experts came and trained us how to do it. It was very effective."

After the compost was released by DATCP, Schneider was able to use the compost on Nature Link Farms' fields as fertilizer.

Once the infected birds were removed from the farm, Schneider said it took over three months to get the farm disinfected and ready to receive new birds back into the facility.

"You have to go through a very extensive disinfecting process, including a heating process that requires you to keep your buildings heated at 100 de-

grees for at least a week. Then, professionals come back in and test every corner of your barns to make sure every element of the virus is gone," he said.

Schneider understands the worries presented by the Palmyra area residents.

"I think its very normal to be concerned, but I truly believe the risks are limited. Composting is safe as a result of all the planning that goes into the process. We didn't have any bad odors or find any leaching into the soil after the fact," Schneider said.

Poulsen echoed Schneider's confidence in the process and people involved.

"A lot of agencies are working really hard to make sure they stop and prevent the spread of this virus and to make sure the impacts to everyone involved are as minimal as possible," he said. "It's a big deal when you have to depopulate 3 million birds. The local economy is vested in an operation this size, as well as a ton of other stakeholders involved. There's a lot of people working around the clock to get this done."

To access DATCP's HPAI daily update, visit <https://bit.ly/3Lh7w4w>. The website also includes a FAQ link that is regularly updated. To facilitate answering questions from the public, DATCP has established an Avian Influenza Response Line available by calling (608) 224-4902. Callers can leave a message with their questions or concerns; messages are checked daily from 7 a.m. to 7 p.m.

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