http://newiprogressive.com/images/stories/S5/clean-drinking-water-s5.jpg 

After Scott Walker's office alerts farm lobby, business group pressures DNR to roll back rules on industry manure-spreading blamed for widespread drinking water contamination in Kewaunee County.

MADISON - After hearing complaints from Wisconsin's dairy industry, the state Department of Natural Resources quietly narrowed the scope of rules it is writing to reduce health hazards from hundreds of millions of gallons of manure spread on farm fields each year.

Last month, the DNR completed scope statements designed to update manure-spreading rules in light of widespread drinking water contamination in Kewaunee County, UW-Madison-led research on airborne hazards of spraying manure and other related state and federal rules.

Some farmers have disputed whether cows were the source of tainted well water. But many other possible sources have been eliminated and a new round of random testing last year suggested manure is the source.

The DNR draft called for rules aimed at preventing people from being infected by pathogens in liquid manure that is sprayed onto fields. Regulations on equipment and setbacks from homes were to be based on a first-of-its kind study completed in April by a group led by UW-Madison scientists.

They proposed rewriting rules for manure-spreading by concentrated animal feeding operations statewide, with special restrictions for sensitive areas, along with new regulations on airborne spraying of manure and public notifications when manure-spreading plans are significantly changed.

Traditionally, State agencies wrote the Administrative Rules, which have the weight of law

themselves, to implement statues. However, since Republicans took over state government in 2011, Walker and the Legislature have insisted that administrative rule-making power belongs more firmly in the hands of elected officials.

Act 21 of 2011 prohibited state agencies from writing rules with provisions not specifically included in statutes, and it added a number of steps to the rule-making process, including a requirement that the governor review initial scope statements and approve them before rule-making proceeds.

Today, rules typically don't become known to the public until after the governor's review. In this case, the DNR submitted the plans to Walker's office, which distributed them to farm industry groups. The Dairy Business Association then met with the DNR to express its concerns before the rules are placed on the Natural Resources Board (NRB) agenda.

The DNR's rolled-back rule-making plan is set for approval on Wednesday by the Natural Resources Board.

***

A more complete discussion of the story is available in the Wisconsin State Journal article by Steven Verburg.