

**DATE:** February 16, 2022  
**TO:** Land Conservation Committee  
**FROM:** Shawn Esser and Amy Piaget, LWRD Staff  
**SUBJECT:** Hookstead Appeal for Land Conservation Committee

**BACKGROUND:**

Chapter 49, Dane County Code of Ordinances (DCCO), requires all manure storage facilities in Dane County to be covered by a certificate of use in order to operate and be used to store manure or process wastewater.

*Certificate of use* requirement means “no person may operate or use a manure storage facility, or any portion of a manure storage facility constructed without a permit issued by the department or has an expired permit unless the person has a valid certificate of use for the manure storage facility or that portion of the manure storage facility that is being operated or used.” Ch. 49.16(1), DCCO

*Department* means “the Dane County Land & Water Resources Department.” Ch. 49.04(6), DCCO

*Manure* is defined as “livestock excreta and including 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, process wastewater; and runoff collected from barnyards, animal lots, and feed storage areas.” Ch. 49.04(19), DCCO

*Manure storage facility* is defined as “an impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure, process wastewater, or other animal or agricultural waste.” Ch. 49.04(20), DCCO

**FINDINGS:**

Through a review aerial photographs conducted by Mr. Shawn Esser, Conservation Specialist with the Department, of Mr. Hookstead’s farm identified three manure storage facilities on the property; one of the structures appeared to be constructed without a permit through the Department.

Mr. Hookstead was notified by Mr. Esser in a lettered dated October 20, 2021, regarding the construction of a manure storage facility without a permit between 2014 and 2017 and to schedule a time to conduct a site visit to verify the structure and apply for a certificate of use. Mr. Hookstead responded stating he did not own the property at that time and denied entry to the property without a warrant.

An inspection warrant was obtained and executed by Deputy Garth Blake, Dane County Sheriff’s Department, and Mr. Esser. The structure in question was identified as a manure storage facility and two additional structures were also on site.

Mr. Hookstead was notified to apply for a certificate of use on three separate occasions including September 29, 2020, March 2021, and again on December 21, 2021 for the three manure storage facilities on the property. No application has been received to date.

The Department received a letter on December 29, 2021 where Mr. Hookstead requested an appeal disputing the structures in question are manure storage facilities because they hold three spreader loads of liquid and solids.

**CONCLUSION:**

Department staff believe the structures in question meet the definition of manure storage facilities under Ch. 49.04(20), DCCO, and store material that meet the definition of manure under Ch. 49.04(19), DCCO. As such, in order to operate and use the manure storage facilities, the landowner is required to apply for and obtain a certificate of use from the Department in accordance with Ch. 49.16, DCCO. The fee for a certificate of use is \$1,000.

**RECOMMENDED MOTION:**

Department staff recommend the Land Conservation Committee move to determine the structures in question meet the definition of manure storage facility under Chapter 49, DCCO, and that Mr. Hookstead is required to apply for a certificate of use for the three structures.

**Attachments:**

- Hookstead Timeline
- Dane County Land Conservation Division Agricultural Management Complaint Form
- October 20, 2021 Letter to Hookstead Farms
- October 30, 2021 Correspondence from Mr. Hookstead
- November 16, 2021 Letter to Hookstead Farms
- Affidavit in Support of Special Inspection Warrant
- Special Inspection Warrant
- Return of Officer
- Dane County Land & Water Resources Department Livestock Facility Complaint Inspection Report dated December 14, 2021
- December 21, 2021 Letter to Hookstead Farms
- September 2020 Certificate of Use Application Reminder Notice
- March 2021 Final Notice Certificate of Use Application
- December 25, 2021 Appeal Request from Mr. Hookstead
- January 18, 2022 Letter Scheduling Appeal
- September 2020 Letter Certificate of Use Application Reminder
- March 2021 Final Notice for Certificate of Use Application

## Hookstead Timeline

2005 – July 2019 - Ch 14 of the DCCO. Ch. 14 required anyone constructing a manure storage facility starting in 2005 to obtain a permit to construct a manure storage facility.

July 2019 - CHAPTER 49 Agricultural Performance Standards and Manure Management DCCO updated and enacted to replace Ch. 14. Ch. 49 requires that all agricultural producers that operate unpermitted, not permitted under Ch. 49, to apply for and obtain a Certificate of Use (COU) to operate a manure storage facility. Ch. 49 also requires that if a manure storage facility has not had manure added or removed for a period of 2 years that the facility be properly closed. Closing a manure storage facility is a permitted activity under Ch. 49.

September 2020 & March 2021 – LCD Letter New ordinance requirement for Certificate of Use (COU). Both letters provided deadline for application where the fee would be waived.

October 20, 2021 – LCD Letter –Requesting Hookstead contact the LCD to schedule a site visit to determine if structure constructed between 2014 & 2017 was a manure storage facility requiring a permit.

November 5, 2021 – Hookstead Response Letter – Stating he didn't own farm in 2017 and request for staff to contact him by phone to talk.

November 11, 2021 – LCD Phone Call – To schedule date/time for site visit. Hookstead stated nobody was allowed on the property without special inspection warrant.

November 16, 2021 – LCD Certified Letter – Stating staff would be on-site 12/1/21 to look at the structure in question and if that date or time didn't work to contact staff to reschedule.

December 1, 2021 – LCD Staff – Stopped at site but nobody was there. Left immediately.

December 9, 2021 – LCD Staff – Applied for and received special inspection warrant.

December 14, 2021 LCD Site Visit – Coordinated with Dane County Sherriff to execute inspection warrant. Identified and photographed 3 manure storage facilities as defined by Ch. 49 DCCO.

December 21, 2021 – LCD Certified Letter – 11/16/21 Certified Letter returned.

LCD Determination Letter – Staff determine the 3 facilities meet the definition of manure storage facility in Ch. 49 and send letter, Certified

Mail and Standard Mail to apply for COU by 1/28/22. Appeal process included in letter.

December 29, 2021 – Hookstead Letter – requesting appeal

January 18, 2022 – LCD Certified & Standard mail – notifying Hookstead of date & time of Appeal Hearing.

## Dane County Land Conservation Division Agricultural Management Complaint

**General Information:**

**Complaint taken by:** Shawn Esser **Date:** 10/20/21

**Complainant (optional):** County Staff

**Location: Township:** York **Sec:** 4 ¼: SE ¼ ¼: SE

**Address or Nearest Intersection:** 7663 State Highway 73 Columbus, WI, northwest corner of the intersection of State Highway 73 and County Highway V.

**Descriptions of Complaint:** Construction of a manure storage facility without a permit; Operation of a manure storage facility without a certificate of use

**Owner:** Hookstead Farms, LLC

**Operator:** Same as owner

**Complaint Type:** Manure storage without Permit/Certificate of Use

**Is manure running off site?** No

**Is manure close to a surface or groundwater?** No

**Has anyone else been contacted?** No

If yes, name of person or department:

**Land Conservation Division Response:**

Date & Time	LCD STAFF	Action Taken
10/20/2021	SBE	Sent letter to Hookstead Farms, LLC regarding the construction of a manure storage facility without a permit between 2014 and 2017. The letter requested that Mr. Hookstead contact the Dane County LWRD to schedule a time to conduct a site visit to verify the structure was in fact a manure storage facility.
11/05/2021	SBE	Received letter from Mr. Hookstead dated 10/30/2021 that he did not own the property in 2017. It also provided a phone number and requested that staff contact him to talk about “stuff”.
11/11/2021	SBE	Called Mr. Hookstead to schedule a time to come out and evaluate the facility to determine if it was a manure storage facility. Mr. Hookstead indicated that nobody was allowed on his property without a Special Inspection Warrant.
11/16/2021	SBE	Sent letter Certified Mail stating that staff would stop out on 12/1/2021 to evaluate the facility. It also stated that if this date or time did not work for him we could reschedule to fit his schedule. The letter also indicated that if Mr. Hookstead continued to refuse access the LWRD would obtain a Special Inspection Warrant under Wis. Stat. § 66.0119.
12/1/2021	SBE & SEE	Arrived on site at 10:00 a.m. as specified in the letter send on 11/16/21, and nobody was around. Knocked on the door to the house and nobody answered. Left site immediately.
12/09/2021	SBE	Applied for and received a Special Inspection Warrant through the Dane County Circuit Court.
12/14/2021	SBE	Coordinated with Deputy Garth Blake, of the Dane County Sheriff’s Dept., to execute the Special Inspection Warrant at 2:25 p.m. Esser provided officer Blake with the warrant and his identification. Esser proceeded to post the warrant on the door of the south freestall facility door and continued to conduct the inspection. The facility in question was determined to be a manure storage facility as defined by Ch. 49 of the DCCO. Esser also identified 2 other manure storage facilities on the site.

12/21/2021	SBE 6:30 a.m.	Arrived at the office and found the letter sent Certified Mail to Mr. Hookstead on 11/16/21 had been rejected 3 times and was returned to the LWRD.
12/21/2021	SBE	After discussions between Esser, Piaget, Ebel & Ottelien, it was determined that although the manure storage facility was constructed without a permit Mr. Hookstead did not own the property at the time of construction and therefore the Department wouldn't proceed with that violation. However, since Ch. 49 of the DCCO (July 1, 2019) requires anyone operating an unpermitted manure storage facility in Dane County to apply for a Certificate of Use. Esser sent a letter, standard mail and Certified Mail, requiring Mr. Hookstead to apply for a COU for all 3 manure storage facilities by January 28, 2022 or be subject to fines and forfeitures. It was determined that Mr. Hookstead was sent 2 letters previously, 9/29/2020 & March 2021 about the requirement to apply for a certificate of use.
12/29/21	SBE	Received response from Mr. Hookstead regarding 12/21/21 letter. The letter stated he was disputing that they were considered manure storage facilities because they only hold 3 spreader loads of liquid and solids.
1/19/22	SBE	The 12/21/21 letter that was sent via Certified Mail was returned to Esser as "UNCLAIMED".
1/18/22	SBE	Received notice from Piaget that the Hookstead Appeal is scheduled to be heard at the February 24, 2022 LCC Meeting.
1/18/22	AP	Sent Appeal Notice via Certified Mail and Standard Mail notifying Mr. Hookstead of the date and time of the appeal hearing. The letter indicated that instructions on how to connect to the virtual meeting would be sent at a later date.



Amy Piaget, County Conservationist  
Joe Parisi, Dane County Executive

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October 20, 2021

Hookstead Farms, LLC  
Attn: Christopher Hookstead  
W4367 Morningside Rd.  
Watertown, WI 53098

**Subject: Construction of a Manure Storage Facility Without a Permit**

Dear Mr. Hookstead

In a recent aerial review of your farmstead located in the SE1/4 of the SE1/4 Sec. 4, T9N, R12E, by Dane County Land & Water Resource Department (LWRD) staff, a structure constructed between 2014 and 2017 was identified that appears to be a manure storage facility. Since 2005 the Dane County Code of Ordinances has required agricultural producers to obtain a permit prior to constructing a new facility.

Please contact the Dane County LWRD by November 4, 2021 to schedule a time for staff to conduct a site inspection of the structure identified on the attached aerial photos to determine if a permit was required for construction.

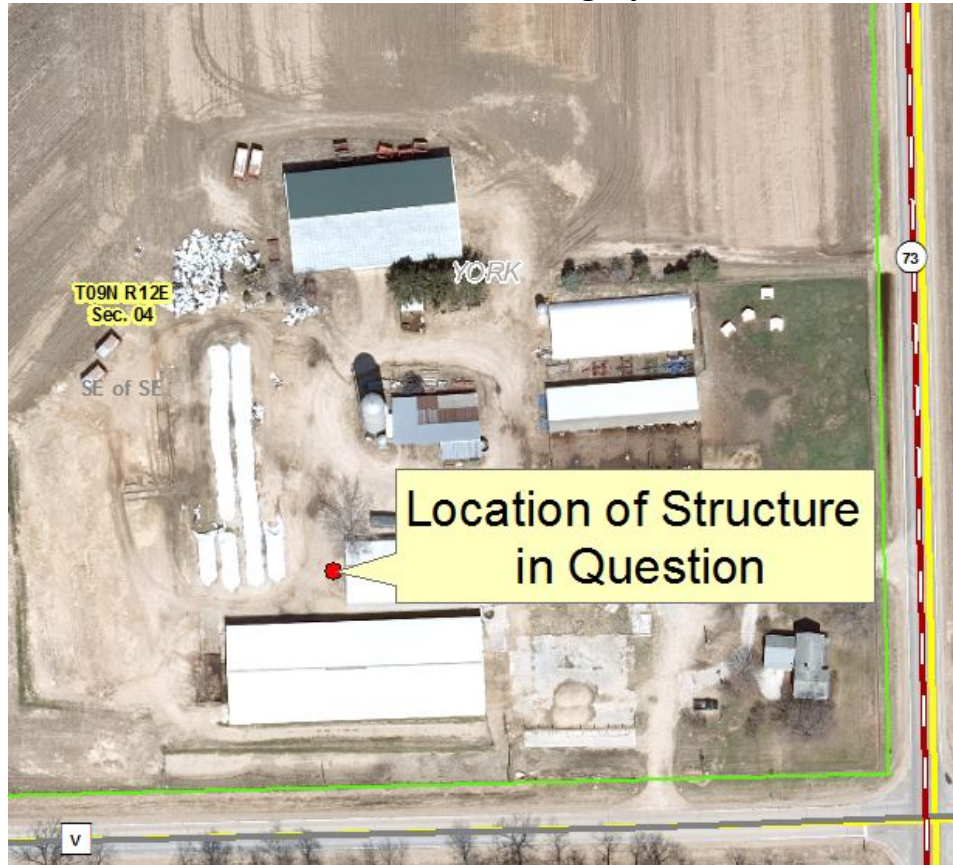
Please contact either of the staff below to conduct the site evaluation:  
Shawn Esser: [esser.shawn@countyofdane.com](mailto:esser.shawn@countyofdane.com) or 608-228-6347  
Seth Ebel: [ebel.seth@countyofdane.com](mailto:ebel.seth@countyofdane.com) or 608-516-2639

Thank you,

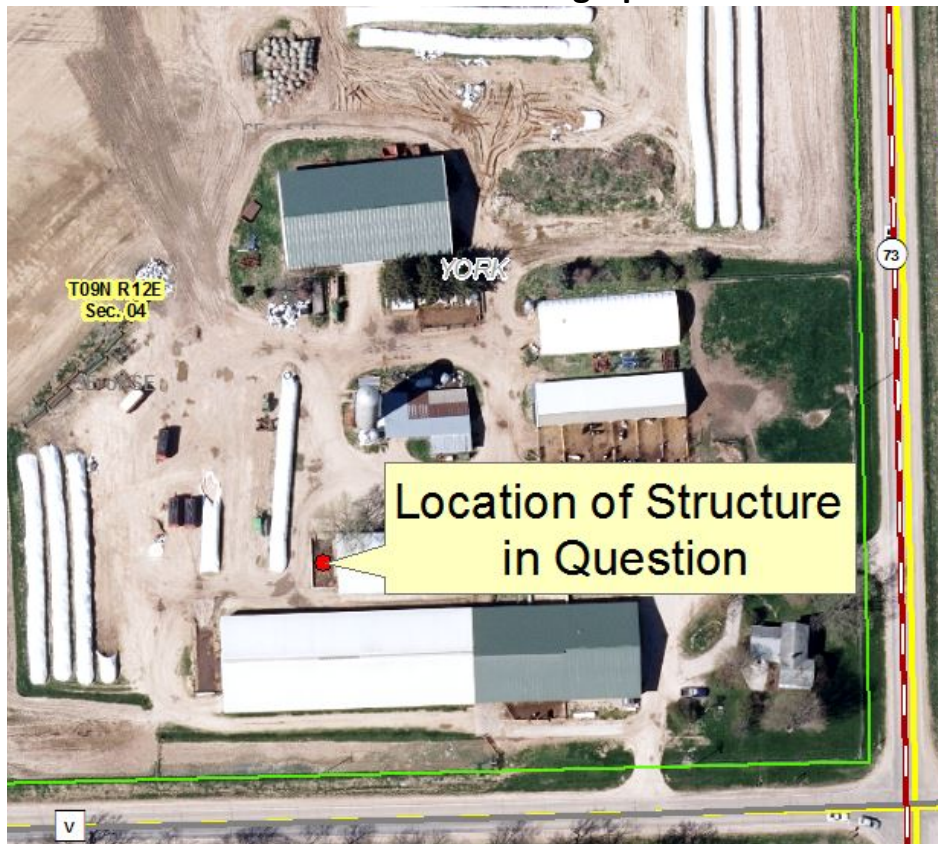
A handwritten signature in black ink that reads "Shawn Esser".

Shawn Esser  
Conservation Specialist

**2014 Aerial Photograph**



**2017 Aerial Photograph**





Oct 30 2021

Dave Ltv,  
Please contact me  
by phone call to  
talk about stuff.  
I didn't own it in  
2017

My number is  
920 210 9292

Sincerely  
Chris Hookstead



Amy Piaget, County Conservationist  
Joe Parisi, Dane County Executive

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November 16, 2021

**\*\*Certified Mail\*\***

Hookstead Farms, LLC  
Attn: Christopher Hookstead  
W4367 Morningside Rd.  
Watertown, WI 53098

**Subject: Site Visit to Determine if a New Structure is a Manure Storage Facility**

Mr. Hookstead,

Dane County Land & Water Resources Department (LWRD) sent a letter on October 20, 2021 regarding a manure storage facility at 7763 State Highway 73, Dane County, WI, suspected to be constructed without a permit as required under Chapter 49, Dane County Code of Ordinances. The letter requested you contact the LWRD to schedule a site visit to evaluate the structure in question. On October 30, 2021, LWRD received a letter requesting staff contact you.

On November 11, 2021, LWRD staff contacted you to discuss the matter and schedule a time to conduct a site visit to evaluate the structure in question. In that discussion, you indicated that nobody would enter your property without a warrant. Wis. Stat. § 66.0119 authorizes issuance of a special inspection warrant if consent to entry for inspection purposes is refused.

Dane County LWRD staff is scheduling a site visit for Wednesday, December 1, 2021 at 10:00 a.m. If this date and/or time does not work for you, please contact me at (608) 228-6347 or [esser.shawn@countyofdane.com](mailto:esser.shawn@countyofdane.com) to reschedule. If you continue to refuse consent to enter the property we will obtain a special inspection warrant from the Dane County Circuit Court

Let me know if you have additional questions.

Regards,

A handwritten signature in black ink that reads "Shawn Esser".

Shawn Esser  
Conservation Specialist

AFFIDAVIT IN SUPPORT OF  
SPECIAL INSPECTION WARRANT

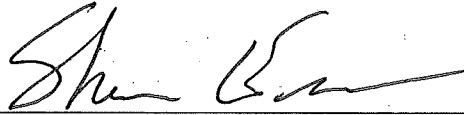
STATE OF WISCONSIN  
Dane County

In the Circuit Court of the State of Wisconsin for Dane County

Shawn Esser, being duly sworn, states as follows:

1. I am a Conservation Specialist for Dane County.
2. On the 9<sup>th</sup> day of December 2021, in said county, in and upon certain premises in the Town of York and more particularly described as follows: 7763 State Highway 73, Columbus, WI, there now exists a necessity to determine if there exists continuing violations of Dane County Code of Ordinances (DCCO) § 49.16(1) occurring on said premises.
3. The facts tending to establish the grounds for issuing a special inspection warrant are as follows: In 2019 the Dane County Board of Supervisors approved Chapter 49 of the DCCO, effective July 1, 2019. Section 49.16(1) requires all agricultural producers with a manure storage facility on their property to apply for a Certificate of Use to operate said facility. On October 11, 2021 I sent a letter to Christopher Hookstead requesting to conduct a site inspection of his farmstead to determine if there was manure storage facility on his property based on a historical aerial photo review of his farmstead. On November 11, 2021 I spoke with Mr. Hookstead over the phone to attempt to schedule a site visit to inspect the premises. Mr. Hookstead stated in that conversation that no one would be allowed to enter his property without a warrant. On November 16, 2021, I sent a letter via certified mail to Mr. Hookstead scheduling an inspection on December 1, 2021 at 10 a.m. and inviting Mr. Hookstead to contact me to schedule an alternative time if the scheduled time did not work. I did not receive a reply from Mr. Hookstead. I went to the property on December 1 at 10 a.m. to proceed with the inspection. No one appeared in order to grant me access to the property. A complete inspection of the property is necessary to determine whether there is a manure storage facility(s) present in violation of § 49.16(1) of the DCCO.

Wherefore, the said Shawn Esser, prays that a special inspection warrant be issued to search such premises for said purpose.



Shawn Esser

Subscribed and sworn before me  
this 9 day of December 2021



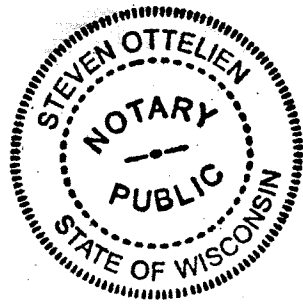
Signature

Notary Public, State of Wisconsin

My commission expires on: FEB. 12, 2025

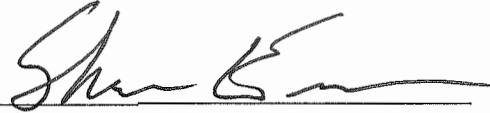


Print Name



ENDORSEMENT ON ATTACHED WARRANT

Received by me, Shawn Esser, at 5:06 p.m. on December 9, 2021.

A handwritten signature in black ink, appearing to read 'Shawn Esser', written over a horizontal line.

Shawn Esser  
Conservation Specialist  
Dane County Land & Water Resource

SPECIAL INSPECTION WARRANT

STATE OF WISCONSIN  
Dane County


In the Circuit Court of Dane County

THE STATE OF WISCONSIN, To the sheriff or any constable or any peace officer of said county:

Whereas, Shawn Esser has this day complained in writing to the said court upon oath that on the 9<sup>th</sup> day of December, 2021, in said county, in and upon certain premises in the Town of York and more particularly described as 7763 State Highway 73, there now exists a necessity to determine if violations of § 49.16(1) of the Dane County Ordinances are occurring on said premises and prayed that a special inspection warrant be issued to search said premises.

Now, therefore, pursuant to Dane County Ordinance § 49.21(3) and Wis. Stat. § 66.0119 and in the name of the State of Wisconsin you are commanded forthwith to search the said premises for said purposes.

Dated this 9th day of December, 2021.

  
Susan Crawford  
Dane County Circuit Judge

RETURN OF OFFICER

STATE OF WISCONSIN  
Dane County

I hereby certify that by virtue of the attached warrant I searched the named premises on Tuesday December 14, 2021 and found there are three manure storage facilities on the property. Chapter 49 of the Dane County Code of Ordinances requires that all operators of manure storage facilities in Dane County apply for a Certificate of Use and allow for an inspection of those facilities in order for them to be utilized.

Dated this 21<sup>st</sup> day of December, 2021.

A handwritten signature in black ink, appearing to read "Shawn Esser", written over a horizontal line.

Shawn Esser  
Conservation Specialist  
Dane County Land & Water Resource

**Dane County Land and Water Resources Department  
Livestock Facility Complaint Inspection Report**



**Inspection Date:** December 14, 2021

**Inspection Type:** Verification of the presence of a manure storage facility(s)

**Facility Name:** Hookstead Farms, LLC

**Facility Address:** 7663 State Highway 73, Columbus WI

**Facility Location:** T09N, R12E, Sec. 04, SE1/4 of the SE1/4

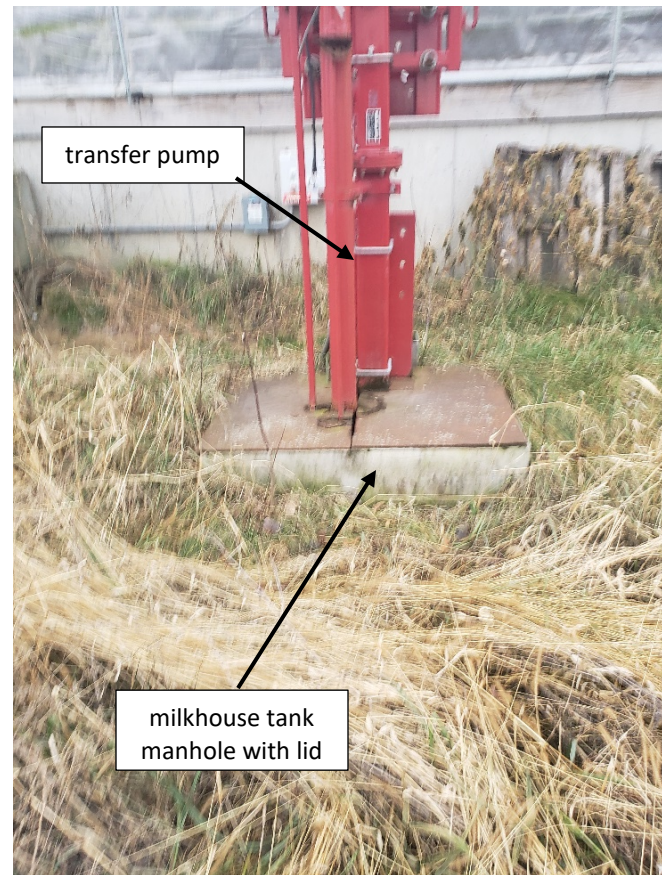
**Facility Representative at Inspection:** None – Entry through Special Inspection Warrant, Sheriff Deputy Garth Blake was present to assist in serving the warrant.

**LWRD Staff at Inspection:** Shawn Esser – Conservation Specialist

Hookstead Farm, LLC site map showing manure storage facility locations





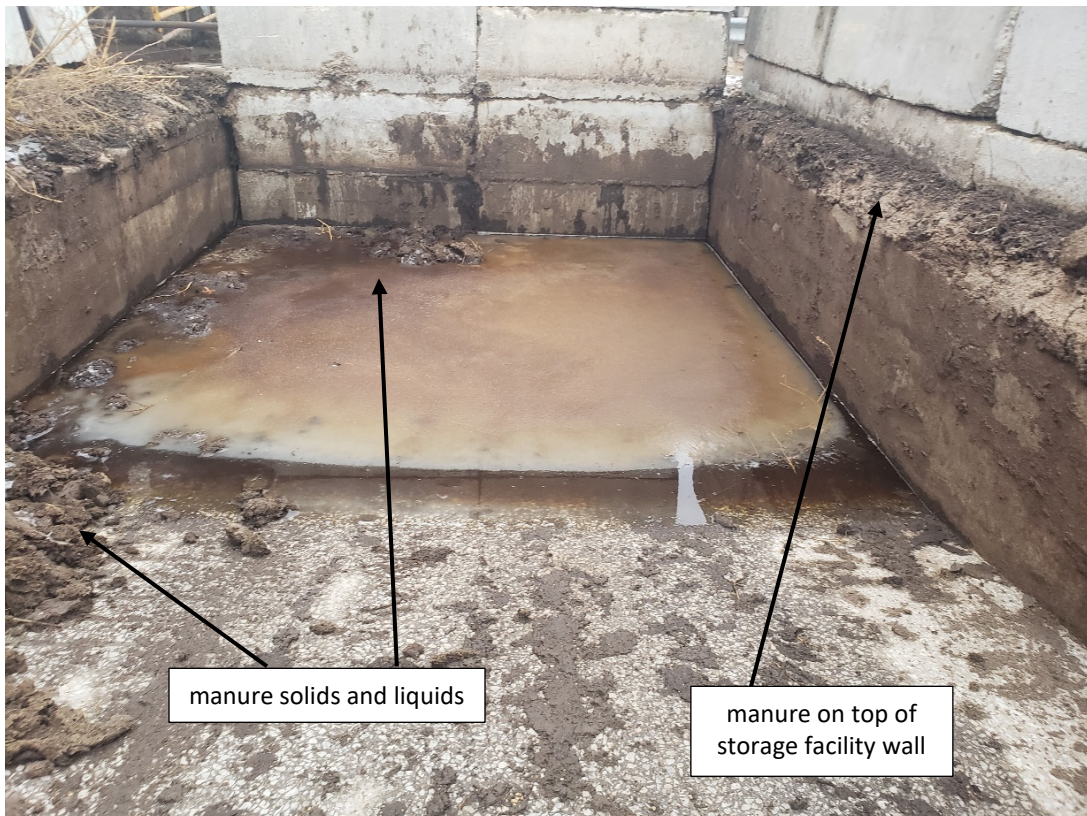
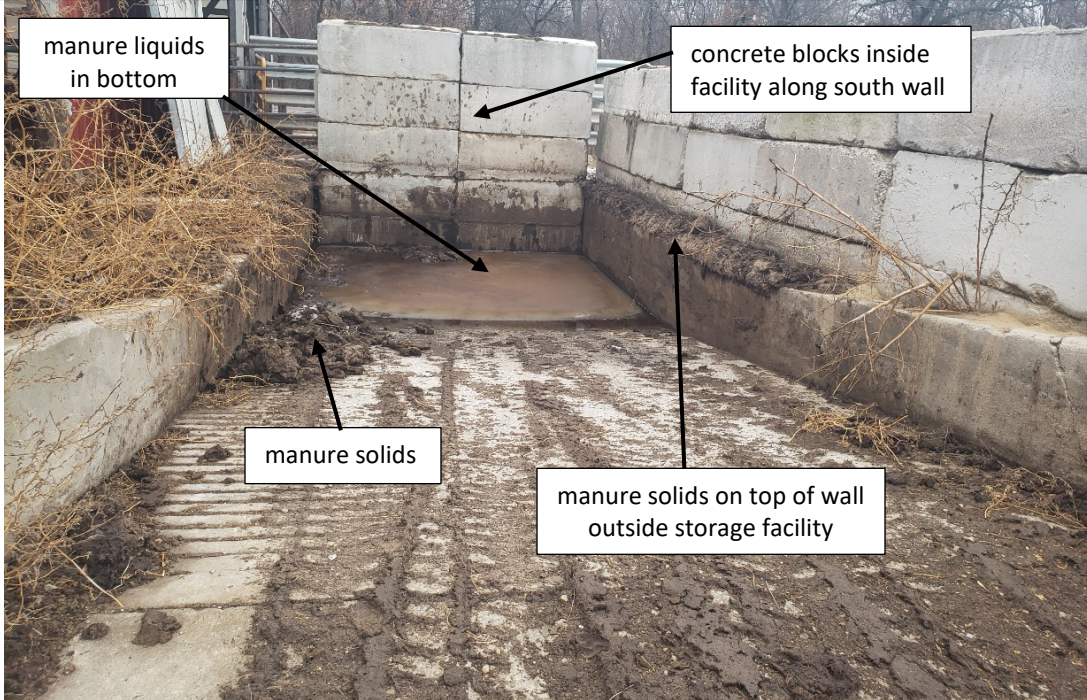


Photos to the left taken on 12/14/21 by Shawn Esser Dane County Land & Water Resources Department. Standing on the north side of the south freestall barn looking south. Photo shows Milkhouse Storage Tank transfer pump, transfer line to get waste from tank into a manure spreader and milkhouse tank manhole/lid for the underground storage tank.

Photo on the right and below were taken on 12/14/21 by Esser. Standing on the northwest corner of the North Manure Storage Facility looking south and the photo below was taken standing on the southwest corner of the North Manure Storage Facility looking east into the freestall barn. These photos show this facility has storage capacity and push out lanes from the freestall barn to get manure into the structure. Although this facility wasn't currently being used, there was manure on the ramp and liquids in the bottom.



The three photos below were taken 12/14/21 by Esser. The first two photos were taken standing on the north side of the South Manure Storage Facility looking south into the manure storage facility and the third was taken standing on the ramp of the South Storage Facility looking into the barn at push off lane into the manure storage facility. These photos show the facility has storage capacity with manure on the bottom and sides of the storage facility. Manure solids have been spilt over the top of the wall on the west side of the facility. Precast concrete blocks have been placed inside the storage facility even though there is a poured concrete wall along the south end of the structure.







Amy Piaget, County Conservationist  
Joe Parisi, Dane County Executive

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December 21, 2021

**\*\*Certified Mail\*\***

Hookstead Farms, LLC  
Attn: Christopher Hookstead  
W4367 Morningside Rd.  
Watertown, WI 53098

**Subject: Chapter 49 Dane County Code of Ordinances (DCCO) Certificate of Use (COU) Requirement**

Mr. Hookstead,

On December 14, 2021 Dane County Land & Water Resources Department (LWRD) staff conducted an inspection of your livestock facility located at 7763 State Highway 73, Dane County, WI on a Special Inspection Warrant issued by the Dane County Circuit Court on December 9, 2021. During that inspection it was determined that there are 3 manure storage facilities that require a Certificate of Use as specified in Ch. 49.16 DCCO.

The Dane County LWRD sent you letters in September 2020 and again in March 2021 reminding you of the need to apply for a COU for your manure storage facility(s). To date no application for a COU has been received by the department.

Enclosed is an application for a COU for your manure storage facilities. Please fill out the application as completely as possible and submit it with the \$1,000 application fee by January 28, 2022

Failure to submit the application and fee by the deadline could result in fines, forfeitures or referral to Dane County Corporation Counsel for further action. Appeals to this determination must be submitted in writing within 60 days of receiving this determination and must identify the specific grounds for the appeal (Ch. 49.24, DCCO). Appeals shall be submitted to: Land Conservation Committee Chair, Dane County Land & Water Resources Department, 5201 Fen Oak Drive, Rm 208, Madison WI 53718.

If you have any questions regarding this matter, please contact me at (608)-228-6347 or via email at [esser.shawn@countyofdane.com](mailto:esser.shawn@countyofdane.com).

Regards,

A handwritten signature in black ink that reads "Shawn Esser".

Shawn Esser  
Conservation Specialist

cc: Dale Gasser - WDNR

Encl.

Dec 25 2021

DCCO,

I am disputing the three manure storage facilities you believe are on a farm in York township Dane City.

It may be under Hookstead Farms LLC.

I don't believe 3 spreader loads in one location that retains the solids + liquid can states a manure storage facility please set up a meeting with a real judge so this can be adjudicated.

agent for Hookstead Farms

rvat.



Laura M. Hicklin, Director  
Joe Parisi, Dane County Executive

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January 18, 2022

**\*\*\* CERTIFIED MAIL \*\*\***

Chris Hookstead  
Hookstead Farms  
W4367 Morningside  
Watertown, WI 53098

**SUBJECT: Scheduling Appeal for Manure Storage Facilities**

Dear Mr. Hookstead,

Per your request dated December 25, 2021, a *virtual* appeal hearing is scheduled to be heard by the Dane County Land Conservation Committee (LCC) on **Thursday, February 24, 2022 starting at 4:45 pm.**

Based on your request, it is the understanding that you are appealing the Dane County Land & Water Resources Department (LWRD) determination that there are three manure storage facilities on your property under Hookstead Farms LLC is not correct and that the structures are not manure storage facilities. Chapter 49.07(20), Dane County Code of Ordinance, defines a manure storage facility at “an impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure, process wastewater, or other animal or agricultural waste.”

A separate letter will be sent with the agenda and information on how to connect to the virtual meeting.

If you have questions in the meantime, please contact me at 608-212-9172 or [piaget.amy@countyofdane.com](mailto:piaget.amy@countyofdane.com). Thank you.

Amy Piaget  
County Conservationist, Land Conservation Division  
Dane County Land & Water Resources Department

September 2020

**SUBJECT: Dane County Certificate of Use Application Reminder**

Last year, Dane County Land & Water Resources Department sent notifications to landowners regarding changes to the county's manure storage ordinance requirements. Under Chapter 49, Dane County Code of Ordinances, all owners/operators of manure storage facilities constructed prior to July 1, 2019 are required to apply for and obtain a Certificate of Use.

A Certificate of Use covers the operation, maintenance, and compliance with applicable technical standards, performance standards, and safety requirements for manure storage facilities. If a structure's integrity and/or design is questionable, staff may request an evaluation be conducted to determine if the structure is functioning properly. If a structure does not meet requirements, repairs, upgrades, or closure may be required. In addition, all manure from the structure(s) shall be land applied in accordance with a nutrient management plan. Planning assistance, technical services, and cost-share funding may be available to assist with bringing a storage structure into compliance and nutrient management requirements.

This is a reminder to complete your application for a Certificate of Use. Application fees of \$1,000 have been waived through November 1, 2020. In order to qualify for the fee waiver, applications need to be submitted no later than end of business on November 1<sup>st</sup>. Application materials are enclosed and can be found on our website at: <https://lcd-lwrd.countyofdane.com/Chapter-49>.

If you have any questions, please contact one of the following to discuss your situation:

- Amy Piaget, County Conservationist, [piaget.amy@countyofdane.com](mailto:piaget.amy@countyofdane.com), 608-212-9172
- Seth Ebel, Agricultural Engineer, [ebel.seth@countyofdane.com](mailto:ebel.seth@countyofdane.com), 608-516-2639
- Shawn Esser, Conservation Specialist, [esser.shawn@countyofdane.com](mailto:esser.shawn@countyofdane.com), 608-228-6347
- Steve Ottelien, Conservation Specialist, [ottelien@countyofdane.com](mailto:ottelien@countyofdane.com), 608-516-5340

Thank you,



Amy Piaget  
County Conservationist  
Land Conservation Division



Seth Ebel  
Agricultural Engineer  
Land Conservation Division

*enclosures*



March 2021

**SUBJECT: Final Notice - Dane County Certificate of Use Application**

Last year Dane County Land & Water Resources Department (LWRD) sent notifications to landowners regarding changes to the county's manure storage ordinance requirements. Under Chapter 49 of the Dane County Code of Ordinances, all owners/operators of manure storage facilities constructed prior to July 1, 2019 are required to apply for and obtain a Certificate of Use (COU).

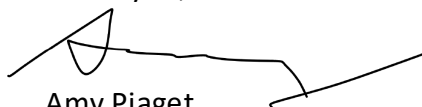
Our records indicate that you may have a manure storage facility on your property. To date, the LWRD has not received an application for a COU from you. The LWRD is extending the fee waiver for submitting an application to **April 15, 2021**. Any applications received after this date will be charged the \$1,000 application fee as identified in Ch. 49. Application materials can be found on our website at: <https://lcd-lwrд.сountyofdane.com/Chapter-49>.

A COU covers the operation, maintenance, and compliance with applicable technical standards and safety requirements for manure storage facilities. If a storage structure does not meet requirements, repairs, upgrades or closure may be required. In addition, all manure from those structures shall be applied to cropland in accordance with an approved nutrient management plan. Planning assistance, technical services, and cost share funding may be available to assist with bringing a storage structure into compliance with standards and nutrient management planning requirements.

If you have any question please contact one of the following to discuss your situation:

- Amy Piaget, County Conservationist, [piaget.amy@countyofdane.com](mailto:piaget.amy@countyofdane.com), 608-212-9172
- Seth Ebel, Agricultural Engineer, [ebel.seth@countyofdane.com](mailto:ebel.seth@countyofdane.com), 608-516-2639
- Shawn Esser, Conservation Specialist, [esser.shawn@countyofdane.com](mailto:esser.shawn@countyofdane.com), 608-228-6347
- Steve Ottelien, Conservation Specialist, [ottelien@countyofdane.com](mailto:ottelien@countyofdane.com), 608-516-5340

Thank you,



Amy Piaget  
County Conservationist