

Let's not heap crazy on crazy

So now the talk about stronger county regulations on manure runoff

Some parts of government make sense. Some parts are crazy.

Traffic enforcement, for instance, is pretty straightforward. The government puts up signs telling people how fast they can go. If a police officer catches someone speeding, the motorist gets a ticket. If a motorist gets too many tickets, a judge takes away that person's driver's license.

Government regulation of farm manure is anything but straightforward. The county, for instance, issues permits to farmers to build manure pits. The pits need to be built so they don't overflow.

What happens when a farmer does allow manure to overflow? Nothing. The county has no ordinance to enforce.

The county can suggest the farmer build a bigger manure storage tank, but as a matter of state law, it needs to provide the farmer with 70% cost-sharing to require it. If the county doesn't have this money, it's powerless to stop future spills.

Last week, the county's Land Conservation and Zoning Committee told staff it wants the county to be able police manure pits like a sheriff's deputy regulates traffic. They pleaded for regulations to make sense.

This was all in response to the well-publicized 600,000-gallon manure spill at the Patrick Willcome farm in western Marathon County, discovered May 2. Willcome and his brother Damian own 115 milking cows and let manure overflow from a county-permitted temporary manure holding tank for an estimated eight months. The manure wound up in a ditch that flows to the nearby Little Eau Pleine River.

The county, which helped direct a cleanup, issued no fine. The DNR issued a minor fine of \$464.

Committee members said they were flabbergasted that the government couldn't meaningfully sanction a farmer who blatantly and knowingly polluted the environment.

"I do a good job [handling manure], but we all get a black eye when that happens," said Kelly King, Town of Wien dairy farmer. "The guy who does a bad job gets a \$400 fine. We have to step up to the plate and say, 'Hey, you run a business and you have to stop.'"

Supervisor Richard Duerr, Stratford, said dairy farmers have no right to pollute the environment, just as other businesses don't.

"Just because you want to be a farmer, that doesn't give you a God-given right to be a farmer," he said. "That means you have to follow the rules. Otherwise, your permit can be revoked. You are a business."

I believe they're right to be outraged at the Willcome manure spill and embarrassed that the county is powerless to sanction such polluters. The whole situa-

tion is crazy from top to bottom.

Yet the county shouldn't act too hastily as it starts to write regulations. You don't want to heap crazy on crazy.

Conservation, Planning and Zoning Department head Becky Frisch said that drafting a manure pit operations and maintenance ordinance first requires a "huge policy discussion."

She's right. There's no question that the Willcome incident points out how ineffective the current approach to agricultural pollution is. The government only offers carrots to farmers to be good stewards. We have polluted rivers, reservoirs, lakes and creeks as a result.

But does it make sense for the county to hire staff and lawyers to police manure pits in order to make sure that rare events like the Willcome spill never happen again?

Maybe yes, maybe no. Doubtlessly, the Willcome spill was an assault to the environment. In comparison, though, it's nothing compared to what happens when a big rain washes sediment off of hundreds of legally tilled and fertilized acres in the Big Eau Pleine Watershed, making dozens of creeks run like chocolate syrup.

The Willcome spill demonstrates the limits of a voluntary approach to clean water resources. The county is flirting with taking a more standard regulatory stance. That's fine. Let's just be sure the county gets its biggest environmental bang for the buck when it comes to policing farmers. What matters most is what happens on the landscape. **CP**



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