



# Capitol LINK

CURRENT ISSUES AFFECTING WISCONSIN AGRICULTURE & AGRI-BUSINESS

September 4, 2013

## DOT and DATCP Hold Implements of Husbandry Town Hall Meetings

*By Jordan Lamb, DeWitt Ross & Stevens*

The size and weight of agricultural equipment and the potential impact it has on public roads is the subject of a series of town hall meetings.



The WisDOT, in partnership with DATCP, convened the Implements of Husbandry (IoH) Study Group earlier this year. This group involved over 20 stakeholders representing various transportation and farm organizations, equipment manufacturers, law enforcement, local officials and the University of Wisconsin-Madison/Extension and developed a series of recommended changes to Wisconsin's size and weight limits for IoH. Some of the group's recommendations include:

- Maximum single axel limit of 23,000 pounds. Maximum total vehicle weight of 92,000 pounds. (Note: Under current law, IoH are limited to 20,000 per axel or 80,000 for total vehicle weight. The proposal is a 15% increase.)
- Maximum width of IoH equipment of 15 feet. Equipment up to 17 feet wide may be operated without written authorization when it meets safety requirements to ensure safe passage by other road users. (Note: There are currently no statutory width limits for IoH when they are temporarily operated upon a highway..)
- Maximum width of IoH commercial motor vehicles of 10 feet.

- Maximum height of 13 feet 6 inches. Equipment greater than this height may be operated without written authorization. The operator is responsible for ensuring there are no conflicts with overhead obstructions such as wires or structures. (Note: There are currently no statutory height limits for IoH when they are temporarily operated upon a highway.)
- Maximum length of 60 feet for single IoH equipment; 100 feet for combinations of two IoH and 70 feet for a combination of three IoH. (Note: Under current law, there is no length limitation for implements of husbandry when they are temporarily operated upon a highway.)

To review the complete IoH Study Group report or to provide comments and feedback online, go to <http://www.dot.wisconsin.gov/business/ag/index.htm>.

Related Press Reports and Video:

[Large group hears proposals for farm implement regulation](#), Wisconsin State Farmer, Aug. 22, 2013.

Link to WisconsinEye coverage of Madison DOT IoH Meeting:

<http://www.wiseye.org/Programming/VideoArchive/EventDetail.aspx?evhdid=7913>

## **Groundwater Legislation Circulating for Co-sponsorship**

*By Jordan Lamb, DeWitt Ross & Stevens*

Senator Neal Kedzie (R-Elkhorn) has drafted legislation to expressly limit DNR's authority to review applications for high capacity well permits.

On April 23, 2004, "The Groundwater Protection Act" (2003 Wisconsin Act 310), was enacted in Wisconsin. This law established a groundwater permitting standard in Wisconsin that required DNR to apply a higher standard of environmental review to wells that could impact sensitive or special waters, effect a spring, or wells that were used for the purpose of bottling water. The law established "groundwater protection areas," as well as "groundwater management areas," and provided clear direction to the DNR as to how and when it could apply higher environmental review standards.

However, the Supreme Court, in the Lake Beulah decision, interpreted Wisconsin law such that the limits in Act 310 were not actual limits on the DNR's authority. In short, the Court held the Legislature did not expressly limit the DNR's authority to regulate high capacity wells.

Accordingly to his memo to his colleagues, Senator Kedzie's legislation is, "a response to the Court's decision both to expressly limit the authority of the DNR in regards to its review and regulation of high capacity wells, and reaffirm the legislative intent of 2003 Wisconsin Act 310."

This legislation is expected to be introduced and considered by the Wisconsin State Legislature this fall.

## **STATE ASSEMBLY UPDATE: Majority Leader, Suder, Resigning -- Vruwink Staying**

*By Jordan Lamb, DeWitt Ross & Stevens*

Wisconsin Assembly Majority Leader Scott Suder (R-Abbotsford) has announced that he will resign from the Assembly to accept an appointed position at the Public Service Commission. Suder will become the Division Administrator for the Division of Water, Compliance, and Consumer Affairs. This resignation will necessitate a Special Election to replace Suder as well as an Assembly Republican Caucus to choose his successor as Majority Leader.

In contrast, Rep. Amy Sue Vruwink (D-Milladore) has announced that she will remain in the Assembly. The rumor mill had her resigning to accept a position in the state's Department of Agriculture, Trade and Consumer Protection.

## **Funding for Ag Research and Science Centers Approved**

*By Jordan Lamb, DeWitt Ross & Stevens*

Governor Scott Walker has announced plans for new University of Wisconsin buildings for dairy and meat science research. The Babcock Hall, Center for Dairy Research, and the University of Wisconsin-Madison Meat Science and Muscle Biology Laboratory renovations are expected to be completed by 2018.

"Our dairy and meat science industries will be able to remain on the cutting edge of research with these new buildings," Governor Walker said. "The current buildings are not able to meet the research needs and accommodate the number of students interested in these fields. These renovations will allow more students the opportunity to be involved in top-of-the-field research for dairy and meat science."

The Center for Dairy Research is the largest dairy research center in the United States. The Center provides research, technical support, and outreach for dairies, suppliers, regulatory agencies, and national and international dairy organizations. Originally established 25 years ago, the project will expand the building to allow for more research space, add environmentally controlled rooms, which are necessary when making different varieties of cheese, and add air handling equipment.

This will be the first renovation for Babcock Hall, which was originally built in 1948. The building project will expand the research facility to accommodate students who are forced onto waiting lists due to the current building size. Health code standards will also be brought up to meet current standards.

The project also includes a new laboratory for the University of Wisconsin-Madison Meat Science and Muscle Biology department. The new laboratory will help the department meet its goals to train the next generation of meat industry leaders, support innovative research, and provide ongoing outreach education.

[Scott Walker: Renovations to proceed at UW dairy, meat science buildings](#), Milwaukee Journal Sentinel, August 7, 2013.

## **NM TRAINING: Funding Available for Nutrient Management Farmer Education Trainings**

*By Jordan Lamb, DeWitt Ross & Stevens*

Applications are now available for the Nutrient Management Farmer Education Grant Program, formerly known as MALWEG. The program awards grant funding to agencies and other organizations to train farmers in nutrient management principles and planning.

Applications are available at <http://clean-water.uwex.edu/malweg/> and are due by midnight Sunday, Sept. 16. Applications must be submitted electronically.

Grants will be awarded for programs in fall and winter of 2013-2014 and 2014-2015. One application will cover both periods. There are two grant categories:

- Tier I grants fund projects that offer incentive payments to farmers for soil testing and other elements needed to complete a nutrient management plan. These grant projects also include workshops, on-farm visits, developing methods for farmers to measure their manure application rates, completion of a plan, and post-harvest on-farm consultations.
- Tier II grants fund projects that educate farmers about soil testing and nutrient management without providing financial incentives.

About \$137,400 is available for the first year and \$175,000 for the second year. Eligible applicants include conservation districts; county, state and federal agricultural and natural resources agencies; colleges and universities; University of Wisconsin-Extension (UWEX); nonprofit organizations; and lake organizations and similar place-based groups.

Previously, UWEX received the funding from DATCP and administered the grants. Beginning with the 2014-15 grant year, DATCP will administer the program directly rather than through UWEX. DATCP encourages groups to apply to this grant program to help our state's farmers better manage manure and fertilizer to improve profitability and meet program requirements associated with the farmland preservation program, manure storage permits, and local and state cost-share programs.

For more information about NMFE funding, contact Sara Walling at [Sara.Walling@wisconsin.gov](mailto:Sara.Walling@wisconsin.gov) or 608-224-4501 or Kevan Klingberg at [kevan.klingberg@ces.uwex.edu](mailto:kevan.klingberg@ces.uwex.edu) or 715-983-2240.

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