



January 22, 2008

Ms. Christine L. Thomas, Chair,  
and Board Members,  
Dept. of Natural Resources Board  
P.O. Box 7921  
Madison, WI 53707-7921

Dear Madam Chairwoman and Board Members:

Good afternoon. I am Jerry Meissner, President of the Board of Directors of the Dairy Business Association. I appear today on behalf of the association and its members to request that the board vote in favor of modifications to NRs 406, 407 and NR 445, by the adoption of AM-24-07.

The Dairy Business Association's mission is to preserve Wisconsin as America's Dairyland. We do so by actively encouraging the growth and modernization of all types of dairy farming, large or small, traditional or modern. Our organization works to educate the public and regulators on the economic and environmental contributions made by agribusinesses in Wisconsin, and we encourage and promote consistent enforcement of the essential environmental regulation of agriculture operations.

DBA members are leaders in our industry. They often are the first operators to adopt, test and install practices and systems, which help producers meet the standards necessary to maintain and improve Wisconsin's environment. Wisconsin is blessed with diverse landforms, environments and livestock operations. Through trial and error, those members found that not all practices, systems or tools work the same way in every operation or location and our members are not alone in their conclusions. In 2003, the EPA established the AD Hoc Committee on Air Emissions from Animal Feeding Operations, which concluded that "the large number and wide variety of operations, even among those for a single livestock type, limit the usefulness of averages in attributing emissions to specific farms. Differences among farms in management practices, such as manure handling, topography, and climate, add to the complexities. Differences in meteorological conditions over time and space also pose difficulties in estimating air emissions".

The Dairy Business Association's testimony today supports action by the Natural Resource Board Members, which will extend the compliance deadline in NR 445. We are not supporting the extension deadline to give agriculture more time to operate without rules. Rather, we ask for the extension to allow for completion of two very important studies on management of odors produced by agricultural operations. These studies will establish science-based findings, which will help formulate best

management practices or systems that will efficiently reduce odors generated by the variety of livestock operations in Wisconsin, while also considering costs of compliance.

Wisconsin's Dairy and Livestock Odor and Air Emission Project and the study being conducted under the EPA's National Air Emissions Monitoring Study are developing data to help estimate the emissions from individual livestock operations using standardized methods and comparing them with government regulatory thresholds. The data will help both the DNR and the EPA construct an Agriculture Strategy, which will outline steps for reducing livestock air pollution and determine what information is needed to define and support feasible regulation of air emissions in the nation for agriculture.

The deadline must be extended. The dairy industry and other animal agriculture operations cannot afford the expense of disbursing significant amounts of capital on a practice or system that might meet compliance, only to find when the studies are completed that less costly practices or systems would have been as effective, or more effective for a particular operation.

Opposition to the deadline extension in NR 445 is primarily based on alleged adverse health effects on people living in close proximity to animal feeding operations. The information distributed and used as testimony is personal opinion, or selective documents that are not peer-reviewed science.

The Department of Natural Resources staff said it best in the April 6, 2007 Scope Statement to the Board on NR 445, when they wrote, "Lacking these study results, the DNR currently does not have as much information as it intended to form a sound basis for decisions on rule applicability and criteria for evaluation of best management practice proposals." A statement on page two of a subsequent document dated May 24, 2007 titled "Background Memo on Request for Hearing Authorization for Order AM-24-07," department staff stated, "In brief, the Department believes the proposed extension is necessary and appropriate."

The Dairy Business Association is not opposed to complying with air permit and air pollutant requirements for emissions associated with agriculture. Our members ask only that the department and the industry have an opportunity to evaluate the scientific data resulting from these studies, prior to requiring structures or systems, or mandating a practice without some assurance that it will be effective. Passing AM-24-07 today gives department staff and producers confidence that requirements in NR 445 will be based on sound scientific data.

On behalf of the Dairy Business Association, thank you for allowing me to testify.

*The Dairy Business Association is an industry organization comprised of dairy producers, corporate and allied industry supporters. DBA promotes the growth and success of all dairy farms in Wisconsin by fostering a positive business and political environment. For more information about DBA, please visit our website at [www.widba.com](http://www.widba.com).*

Sincerely,

A handwritten signature in cursive script that reads "Jerry Meissner".

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Jerry Meissner, President  
Dairy Business Association

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