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January 27, 2015

Ms. Mary Dougherty
901 Rittenhouse Avenue
Bayfield, WI 54814

RE: Proposed Reicks View Farms Hog CAFO

Dear Ms. Dougherty:

I understand that the Bayfield County Board (the Board) is holding a meeting on January 27, 2015, to discuss the concentrated animal feeding operation (CAFO) proposed by Reicks View Farms. As you know, Reicks proposes to construct a hog CAFO over 6,000 animal units in size in the Town of Eileen. If permitted, Reicks would operate the first CAFO in Bayfield County.ⁱ

Per a request received from several residents of Bayfield County, I am writing to outline the initial concerns of Midwest Environmental Advocates, Inc. (MEA) regarding this proposal. Please distribute this letter to the Board as you see fit.

The location of the proposed CAFO warrants concern over potential impact upon Wisconsin's waters.

Mary, you've written eloquently regarding the environmental gems present in Bayfield County, including but not limited to: Apostle Islands National Lakeshore; Chequamegon-Nicolet National Forest; Iron River National Fish Hatchery; North Country National Scenic Trail; St. Croix National Scenic Riverway; and Whittlesey Creek National Wildlife Refuge.ⁱⁱ

Furthermore, Reicks proposes to construct its operation within the Fish Creek Watershed. This watershed contains more than 32 miles of outstanding (ORW) and/or exceptional resource waters (ERW).ⁱⁱⁱ DNR defines these waters as follows:

Waters designated as ORW or ERW are surface waters which provide outstanding recreational opportunities, support valuable fisheries and wildlife habitat, have good water quality, and are not significantly impacted by human activities. **ORW and ERW status identifies waters that the State of Wisconsin**

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***has determined warrant additional protection from the effects of pollution.*^{iv}**

The waters of the Bayfield area are acknowledged as unique and treasured by the state of Wisconsin, and these are resources in which the public has invested significant funds for preservation and conservation. More importantly, the residents of Bayfield County utilize and enjoy Lake Superior waters on a daily basis. The potential for negative public health and environmental impacts of a CAFO, of concern in any area of the state, is therefore especially poignant in the Bayfield area. Northland College staff has already weighed in on the potential impact of industrial operations such as the one proposed by Reicks:

“Matt Hudson, the watershed program coordinator with the Sigurd Olson Environmental Institute at Northland College in Ashland, said the biggest concern of any large-scale farm is the amount of nutrient runoff from soil or waste.

“Of concern with large-scale operations could be the antibiotics that are used in the process of raising the livestock and the pathogens that exist also in the waste,” said Hudson.

Hudson said too much runoff can lead to contaminated drinking water or cause algae blooms, which kill fish.”^v

More information regarding the impact of CAFOs upon surface water, ground water, and wetlands is available for public review on the DNR website.^{vi}

MEA sincerely encourages Bayfield County officials to listen to the well-informed, educated input from the citizens and scientific experts that call Bayfield County home. As you’ve emphasized, Mary, these individuals are entitled to participate in the local decision-making process in order to protect Bayfield County from experiencing overwhelming public health and water quality issues that other Wisconsin counties are already experiencing.^{vii}

MEA also encourages concerned citizens to ensure that DNR completes an environmental analysis prior to its determination of whether to grant Reicks’ permit application. The size of the proposed operation, combined with the outstanding and exceptional waters within the Fish Creek watershed, warrant an environmental analysis as to the potential impact of the proposed CAFO.

Bayfield County should demand accurate data regarding availability of sites for landspreading of waste from Reicks View Farms.

Hog CAFOs are a relatively new industrial breed in Wisconsin, and Reicks proposes a hog operation of unprecedented size in the state. Specifically, Reicks “has submitted a proposal to the Wisconsin DNR to set up a CAFO operation with a projected number of 14,625 hogs under 55 pounds, 4,125 hogs 55 pounds to market weight, 7,500 sows and 100 boars.”^{viii}

Any parties with the opportunity to review or comment on Reicks’ proposal should question whether the operation can set forth a scientifically reliable plan for landspreading

or otherwise safely disposing of the significant amount of manure that the facility will produce. For example, Gordon Stevenson, MEA board member and former Chief of Runoff Management at DNR, has expressed doubt that Bayfield County has acreage to support the manure that the Reicks CAFO would produce. Reicks is proposing an industrial operation in a part of Wisconsin that remains frozen for a longer stretch of time than most areas of the state. It's my understanding that Reicks has committed to capacity for 12-14 months of manure storage, and the community should track Reicks' compliance with this commitment.

Bayfield County should utilize the permitting process to insist upon reliable data demonstrating how the CAFO would store manure in winter months and then spread Reicks' waste in a manner that protects the public health of the County's residents. Finally, DNR should acknowledge the limited availability of landspreading sites by requiring Reicks to enter into written agreements with owners of landspreading fields, and to list these fields and owners in Reicks' nutrient management plan.^{ix}

Bayfield County should ensure that Reicks' draft permit include thorough information regarding feed storage and waste management.

The size of the proposed industrial operation means that it is necessary to critically analyze Reicks' feed storage and waste management plans. The preliminary design from Reicks shows that the operation plans to store 493 tons of ground feed in outdoor, bulk bins. Reicks' final application must include documentation showing a design that will minimize leachate from this large amount of feed storage. Reicks View Farms must also accurately estimate the amount of waste that the CAFO will produce, and provide a corresponding nutrient management plan that details how Reicks will deal with the amount of waste and associated wastewater. This includes any leachate produced from the feed and any water that comes into contact with feed.

In general, Reicks' application includes extremely minimal amount of information for the public to understand how the massive CAFO would address feed storage and waste management issues. Concerned citizens should insist upon a more thorough and accurate final application and other permit documentation.

Bayfield County should support proactive water monitoring in order to gather baseline water quality data.

The County should follow the example of other Wisconsin communities that have established proactive water monitoring efforts in response to proposed CAFOs.^x Collection of such baseline data is an essential step toward understanding the water quality impact of an industrial operation such as that proposed by Reicks View Farms. Should Reicks proceed to construct the proposed CAFO, baseline data will allow the community to understand and pinpoint the cause of any water quality changes that may occur in Bayfield County waters.

Bayfield County should continue its commendable efforts to protect the public health of its citizens.

On Tuesday, January 6th, the members of the Bayfield County Planning and Zoning Committee and the Land Conservation Committee unanimously recommended that Bayfield County take two actions: (1) adopt the state's model Livestock Siting ordinance; and (2) adopt an ordinance prohibiting the spray irrigation of liquid manure.^{xi}

Spray irrigation of manure is a novel practice in Wisconsin and its public health impact is under analysis by a manure irrigation workgroup led by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). According to information shared during a meeting of the workgroup on January 16, 2015, the workgroup will be basing its findings at least in part upon an ongoing study of bovine manure from herds with few pathogens. The proposed Reicks CAFO would of course produce porcine manure. Porcine manure and the spread of the PED (porcine epidemic diarrhea) virus^{xii} are of increasing discussion and concern throughout the United States. In sum, there is little to no data from Wisconsin farms from which to understand the impact of spray irrigation of manure should Reicks determine to utilize this practice.

Steve Struss, conservation engineer for DATCP, has also recommended that Bayfield County consider "manure storage ordinances, road weight limits, zoning for agricultural and non-agricultural lands and a possible moratorium until the counties decide how to approach large-scale livestock operations in the area."^{xiii} As you know, numerous residents of Bayfield County have requested a moratorium on siting of CAFOs until the local government has the opportunity to research and respond to recommendations from Struss and others.

MEA strongly recommends following the recommendations of concerned citizens, local committees and state officials to the extent permissible by state law. This is a crucial opportunity for the Board to maintain control over industrial operations such as that proposed by Reicks View Farms. It is the residents of Bayfield County who will be most impacted by this proposal, and as such it is logical that the County should act to protect the public health of its citizens.

Please contact me if you have any questions or concerns. MEA anticipates closely following and commenting on the permitting process for Reicks View Farms. Thanks to you and other concerned citizens for your conservation efforts on behalf of your community.

Sincerely,

/s/

Tressie K. Kamp
MIDWEST ENVIRONMENTAL ADVOCATES, INC.

ⁱ See http://dnr.wi.gov/topic/AgBusiness/documents/cafo_statewide_map.pdf (last visited Jan. 26, 2015).

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- ⁱⁱ See http://www.ashlandwi.com/opinion/letters/a-tale-of-two-counties/article_b09b3518-9c52-11e4-90a5-bffd4bb13fc4.html (last visited Jan. 22, 2015).
- ⁱⁱⁱ See Fish Creek Watershed “At-A-Glance,” <http://dnr.wi.gov/water/watershedDetail.aspx?key=924672> (last visited Jan. 22, 2015).
- ^{iv} See <http://dnr.wi.gov/topic/surfacewater/orwerw.html> (emphasis added) (last visited Jan. 22, 2015).
- ^v See <http://www.wpr.org/bayfield-county-explores-possibility-permitting-its-first-cafo> (last visited Jan. 22, 2015).
- ^{vi} See <http://dnr.wi.gov/topic/nonpoint/AgEnvironmentalImpact.html> (last visited Jan. 26, 2015).
- ^{vii} See footnote ii.
- ^{viii} See <http://www.northlandsnewscenter.com/news/local/Awaiting-289394751.html> (last visited Jan. 22, 2015).
- ^{ix} DNR has such authority pursuant to Wis. Admin. Code § NR 243.14(1)(b).
- ^x See <http://www.wisconsinrapidtribune.com/story/news/local/2015/01/22/spring-branch-creek-monitoring-adams-county-cafo-dairy/22171719/> (last visited Jan. 26, 2015).
- ^{xi} See http://www.ashlandwi.com/news/local/cafo-application-submitted/article_7ac60cd4-97a6-11e4-8573-efd2d95addc2.html?utm_source=twitterfeed&utm_medium=twitter (last visited Jan. 22, 2015).
- ^{xii} PED is “a corona virus with a nearly 100 percent mortality rate in suckling pigs.” See footnote ii.
- ^{xiii} See http://m.ashlandwi.com/news/uw-ex-workshop-addresses-questions-concerns-on-large-scale-livestock/article_edf2ee52-7cf8-11e4-ba60-57bf3edb7ffd.html?mode=jqm (last visited Jan. 22, 2015).