Roth Feeder Pig II Public Input Guide

Background

The WI Department of Natural Resources published their final approval of the Roth Feeder Pig II proposal on May 6.
No additional conditions were added to the permits, despite 1200 public comments asking for additional protections.
A formal request for an Environmental Impact Statement was filed and supported by a petition of over 200 local landowners and residents and a letter signed by 48 organizations from the local to regional levels, including the local Farmers Union chapters.
This, if permitted by the county, will allow Roth Feeder Pig - already Crawford County's only Concentrated Animal Feeding Operation (CAFO) housing over 1000 "animal units" - to build new facilities and expand their operation into the largest hog CAFO in the state.

Both Marietta Township and Crawford County implemented CAFO Moratoria and received large volumes of public input, largely in opposition to this proposal, since Roth Feeder Pig decided to build a new and expanded facility. There were study committees and reports, but no action was taken based on their recommendations.

We are now at the final step in the permitting process:

The Crawford County Land Conservation Committee will hold a **public hearing on July 12th from 12:30 p.m. – 2:30 p.m. in Suite 236 of the Crawford County Administration Building, 225 N Beaumont, Prairie du Chien Wisconsin.** The purpose of this hearing is to receive public testimony and comment on the issuance of a livestock siting permit for Roth Feeder Pig II, Harvest Lane, Wauzeka, WI.
Input received at this public hearing will be used by the County in making its final decision on the application. **Written comments will be accepted until 3:00 p.m. Monday July 11th, 2022 at the Crawford County Land Conservation Department, Suite 230, Crawford County Administration Building, 225 N Beaumont, Prairie du Chien, WI, 58321**. A copy of the application and worksheets are on file with the county and are open to public inspection at the Land Conservation Office in the Administration Building or **available to view online**.
Virtual attendance will be possible for the first 100 people who register, and we have heard that virtual attendees will speak after those physically present. **If attending virtually you must register by 12:00 p.m. on Monday July 11th, 2022**. Fill out the

form, download, then upload into an email to County Conservationist, Dave Troester: <dtroester@crawfordcountywi.org> If not attending the public hearing, you can simply email your comments to Dave Troester.

Please see below for help crafting your public comments, and feel free to reach out for more information, as there are mountains of studies and context behind each of the talking points listed here.
Forest Jahnke - CSP Program Coordinator
608-632-2183
fjahnke@crawfordstewardship.org

General Framing

There will be time limits to verbal comments at the public hearing. This depends on attendance but will likely be between 2-3 minutes.

Start with some appreciation (ideas below in the talking points), even if all you can muster is “thank you for letting me speak”.

Use the body of your comments to speak to and elaborate on a couple of the potential talking points below. Be polite, note your connection to/interest in the area, and consider tieing in a personal note. The county has a responsibility to protect health, safety, and welfare, making these solid foundations to build from.

Close with suggested action. Specific permit conditions that the county should add to Roth Feeder Pig II are important, as is the general need for more proactive measures at the county and township levels.

Talking points:

Key talking points elaborated below include: *Nutrient overloading, too many animals and not enough land, largely rental acres, an incomplete and outdated application, importance of serious county review, incorporating manure, liquid manure challenges, groundwater quality, groundwater quantity, air quality, additional CAFOs, diseconomies of scale, economic issues, road impacts, limits to state regulations, and relevant authority. Finally, there is a list of good programs the county has been working on in the last years that would be good to mix in with your critique and calls to action.*

Nutrient overloading
There are fields in the proposed RFP II nutrient management plan (NMP) which are already excessively high in phosphorus (P). And the NMP is two years old. A current NMP is needed.
Anything above 35 parts per million (ppm) soil P is considered excessive for crop needs. Anything above 100 ppm P should receive nutrient applications at levels that will draw down P over time. Anything above 200 ppm P should not receive any spreading. Roth Feeder Pig I, the current operation, has multiple fields over 200, and even some over 300ppm P.
Fields excessively high in P are likely to be polluting groundwater and surface waters with nitrates as well, as high P signifies overspreading.

Too many animals, not enough land
Roth Feeder Pig II claims to have .4 acres/animal unit. The field maps indicate that the spreadable acres may be exaggerated, due to not removing acreage with spreading restrictions or prohibitions. Even if we take the acres/animal units at face value, this is still only 1/10 of the 3-4 acres/animal unit needed for a farm to have a long-term balance of nutrient input/removal on-farm. One acre/animal unit is generally considered to be a bare minimum.
Roth Feeder Pig I has only .27 acres/animal unit. Thus, even if manure was spread evenly on all spreadable acres, which it is not, is an insufficient land base, and is the reason we see nutrient levels spiking upward in many fields.

Almost all spreading acres are rented
The county should request signed agreements with all landowners who have entered into agreements with Roth Feeder Pig II to receive manure.
Of the 1455 acres Roth Feeder Pig II claims to have access to for spreading their manure and process wastewater, 95.4% (1388 acres) are rented. This is concerning because these fields are not guaranteed to be available indefinitely, there is limited appropriate acreage in the immediate vicinity of the operation that does not have spreading restrictions, and the DNR neglected to require verification of spreading contracts so we are not sure all these acres are indeed available.

An incomplete and out of date permit application
How can this permit be deemed “complete and current”, if it is based on a 2020 Nutrient Management Plan (now almost 3 spreading/growing seasons ago)?
The DNR’s response to that same question in the Notice of Final Determination was: “The operation is required to maintain an up-to-date NMP which accounts for all

nutrients applied to each field. The operation is required to submit an updated plan to the department annually by March 31 to show NMP requirements are being met."
So, where is the "up-to-date NMP"? There is no way to evaluate this application without current information, especially as several fields are already close to the maximum phosphorus threshold and could be eliminated as spreadable acres if heavy spreading has occurred in the last couple years.

A credible Nutrient Management Plan
Nutrient Management Plans are created by a paid contract employee,whose job is to create an NMP that meets the DNR/DATCP/NRCS standards and satisfies the CAFO operator.. The job of the county is to carefully review these plans as a neutral party for the public interest, not take them at face value. Many future issues could be prevented with a careful review to ensure everything is accurate and meets all applicable standards.

"Knifing in"/incorporating manure
Roth Feeder Pig I's Nutrient Management Plan dictates that all spreading will be knifed in. AV Roth has stated publicly that he "sometimes knifes the manure in". Neighbors have reported that they rarely, if ever, see manure knifed in or incorporated. If water quality protections are contingent on this practice, who will ensure that this is indeed occurring?

Liquid Manure
As Roth Feeder Pig uses a liquid manure storage and spreading system, and the liquid slurry of manure and process wastewater is 95-99% water, this creates additional challenges for proper management. It means that more volume must be transported farther to distribute nutrients, which means additional road traffic and impacts as well as more compaction to fields. Perhaps most importantly, this liquid is much more likely to run off into surrounding waterways or leach into groundwater than solid manure.

Groundwater quality
Crawford County in general, and particularly Niland Ridge where Roth Feeder Pig II is proposed, is extremely karstic. This means that the carbonate layers of bedrock (and this proposal sits on top of two layers) are extensively fractured and dissolved, creating many direct conduits for pollution to enter the groundwater, and for that pollution to rapidly spread.
The DNR mis-labeled the bedrock due to reliance on outdated data from the 1870s. They deemed karst geology not to be a concern simply because they did not find any sinkholes 1000 feet from the production facility, however that entire ridge is extremely karstic and susceptible to contamination, as evidenced by sinkholes, leaking cliffs, a

large known cave, and many springs in the valley below.
The DNR declined to require monitoring wells, nonsensically pointing to the complexity of the local hydrogeology as the reason. Will the county consider requiring some local groundwater quality monitoring?

Groundwater quantity
Is there sufficient water to support this operation without impacting neighboring wells? The wells on Niland Ridge, where Roth Feeder Pig II is proposed, have extremely low "specific capacity", meaning that even low levels of pumping drop the water table significantly. A two hour 10 gallon/minute pump test on a neighboring well dropped the "static water level" in that well 152 feet!
Roth Feeder Pig II plans to pump 34,000 gallons per day on average, yet the DNR has said they have no authority over wells that are not predicted to pump over 100,000 gallons per day. The county has said they have no authority over groundwater quantity. Who, then, will ensure that this operation or future operations do not pump at levels that prevent neighbors' wells from reaching water or becoming contaminated due to water table drops? A pump test should be requested, and an animal unit cap based on limited groundwater availability should be considered.

Air quality
The DNR determined that odor was not a significant concern, but this determination is not based on the current operation's reality. This was based on a limited survey conducted around Roth Feeder Pig I which relied on only two two-week monitoring sessions that Roth Feeder Pig was aware of and likely took steps to mitigate odors, 13 years ago, not during spreading season, and when that operation was producing half the amount of manure (1.5 million gallons/year) they currently produce (3 million gallons/year). Roth Feeder Pig II is predicted to produce and spread 9.4 million gallons of manure every year, and sits above the Kickapoo River valley, where air currents tend to concentrate heavier particulates, which could create not only a nuisance but health issues for the residential neighborhood below.
The odor score maps posted on the County website give no information. What are the odor scores for the various residences in the impact radius? How was this determined? Will any measures be taken to reduce odors and harmful gasses? When the DNR asked this of Roth Feeder Pig II, their response was that the DNR did not have authority to require it, so nothing was submitted about this.

Finishing Operations
This one additional feeder pig CAFO will produce enough piglets to supply 20-50 additional hog grower CAFOs or operations just under the CAFO threshold. Economics dictate that the closer these facilities are to Roth Feeder Pig II, the better for them. How

many of these will be sited in the area, and how many more of these facilities can our community and watersheds support? At the moment, there is nothing stopping dozens more CAFOs from operating in Crawford County, or setting standards for them to protect our sensitive watersheds and hydrogeology.

Streams and rivers

Streams and springs immediately down-slope from the current Roth Feeder Pig I operation have shown high and rising levels of contamination, and have been listed as "impaired" by the DNR, based on over a decade of water quality monitoring by CSP. Streams around the proposed operation have also shown high rates of contamination, which is a major concern if an additional 9.4 million gallons of liquid manure per year is to be added to the landscape.

Diseconomies of scale

Much is said about "economies of scale" that large industrial farms benefit from, but the flip side is rarely discussed. Especially on our rugged landscape, the cost of hauling and spreading millions of gallons of manure from the manure lagoons to distant fields is expensive, and often leads to overspreading on the fields closest to the production facility.

The cost of catastrophic spills of the size only a CAFO can generate, and resulting fines, has caused farms to go into bankruptcy.

CAFOs tend not to buy or sell locally, and so do not benefit the local economy as much as smaller family farms. CAFOs are linked with rural economic decline.

Economic issues

Most studies show property value decreases of 7-40% around CAFOs, and there are documented cases of this occurring for rural Wisconsin property owners, impacting their investment in their property, as well as the local tax base.

Tourism/recreation is also an important sector of the local economy, and could be seriously impacted by more CAFOs.

CAFOs, and their need for huge amounts of land and competitive advantage, can drive up ag rental land prices for other local farmers.

CAFOs have been shown to negatively impact rural economic growth.

Road safety, damage, and compensation

Harvest Ln is a gravel township dead-end road, connecting to Hwy 131 at a dangerous blind corner. Hauling 9.4 million gallons of manure will create significant impacts on these roads. County Hwy W has been having issues from manure tanker trucks coming out of KD Partners, and an agreement was reached to only haul partial loads to minimize this. These sorts of agreements are ideal if done proactively, and there is significant precedent for this.

This stretch of Hwy 131 has road bans implemented in the spring, which could impact grain inputs and manure and piglet outputs from this operation.

State one-size-fits-all regulations

DNR best management practices and nutrient management plans are not protective of groundwater. The DNR has publicly admitted this, stating that these plans and practices are based on maximizing agronomic value of nutrients to crops (though even this statement is questionable, as they allow soil phosphorus to build up to and even beyond 200ppm when 35 ppm phosphorus is considered excessive).

This fact is exacerbated by our sensitive local hydrogeology. In Kewaunee County and eastern Wisconsin, a new set of rules and restrictions is being implemented to protect groundwater, as it was clearly documented that despite 90% of cropland acres being under nutrient management plans, there is a drinking water crisis (over 60% of wells in Lincoln Township produce unusable water for at least a part of the year) due largely to the concentration of CAFOs and volume of manure being spread over fractured carbonate bedrock, like that of Crawford County. Here we have no such additional protections, and are told we must first prove that there is widespread groundwater contamination, which is an unacceptable proposal. Action should be taken to prevent contamination, as addressing the issue once it reaches that level becomes nearly impossible.

Authority

The Wisconsin DNR does not consider many important impacts of CAFOs. Air quality and odor, economic impacts, road damage, and a slew of other health and safety considerations.

Had Crawford County taken some action based on their own CAFO Study Committee recommendations, much of this authority could have been clarified and concerns addressed. While it is too late to pass anything that will impact Roth Feeder Pig II, there is still time to take action before more CAFOs apply to operate in Crawford County. Future proposals could be many, even larger, and by faceless out-of-state corporations with no connection to the community. Townships have a part to play as well, and the county could be proactively providing guidance as to their options.

There are many larger issues related to this that are not mentioned in the above talking points. A handful of these additional issues include: climate destabilization and extreme weather events, the soil loss crisis, humane animal treatment, corporate control and manipulation of agricultural economy, indigenous sacred sites, biodiversity loss, and the undermining of local control for the benefit of industry. Feel free to connect these issues in your comments, but note that they will likely be considered "outside the scope" of the

considerations for Roth Feeder Pig II permits.

Appreciations to the county

- Driftless Area Water Study & continued groundwater study
In collaboration with CSP, Crawford, Richland, and Vernon County Health and Conservation Departments collaborated to test over 550 wells in two sessions, giving us a start on establishing groundwater quality in the region as a whole. There are plans for additional rounds of testing this year and we hope for continued study on this front going forward.

- 2018 resolution re: Karst sensitivities, local control, and state failures
In 2018 Crawford County unanimously passed a resolution that the WDNR needed to fully implement its regulatory framework, and the state needed to recognize that this county not only has sensitive hydrogeology, but the right to take measures to protect it.

- Taking on Livestock Siting authority at the county level
This is a serious burden for our small Conservation Department, and bringing in more staff or contracting for specific expertise in agronomy would help the county fulfill its responsibilities.

- Cover crop program
Helped many farmers add cover crops to their acres, and successfully handed off the program to Black Sand Granary

- CAFO Moratorium and Study Committee - report and appendix
This committee included representation from county staff and board members, citizen representatives, ag representatives (Roth Feeder Pig's Nutrient Management Plan author), as well as CSP in an advisory roll. Time and resources were limited, but a good compilation of the issues at hand, and generally agreed-upon "findings of fact" was created, with important suggestions for county action at the end.

- Soil & Water Resource Management Cost Share Program
This program has helped many landowners contain erosion and flooding impacts on their land

- Nutrient Management Planning
Important education of local farmers to aid in taking a long-term view of nutrient management on their land.

- Land & Water Resource Management Plan
Water Resources - Goal 1: Preserve, protect and enhance surface water, groundwater and riparian areas

- Crawford County's 2009 - 2029 Comprehensive Plan
Groundwater quality is the top priority for residents of Crawford County, surface waters are the #2 priority

- Bringing county septic systems up to date and into compliance
A tremendous effort, taking up much of the Conservation, Zoning, and Sanitation Department Staff time over the last couple years.