

Town of Maiden Rock

Concentrated Animal Feeding Operations (CAFO) Operations Ordinance

Passed December 9, 2024

Why did the Town of Maiden Rock pass a CAFO Operations Ordinance?

Our town is blessed with a stunning mix of farmland, woods and bluffs overlooking the Mississippi River's Lake Pepin. Rush River, a Class 1 trout fishing destination, is sustained by cool spring-fed streams. Everyone relies on private wells for human and animal consumption.

CAFOs with thousands of animals are proposing to spread thousands of truckloads of waste in the Town. State and county laws have almost no control over these huge facilities. Without an ordinance, their impact on roads, wells, health and the economy are unknown.

Recognizing their responsibility to protect our town, Maiden Rock supervisors appointed a commission to study CAFOs and operations ordinances. After months of work, the commission drafted an operations ordinance and recommended that the town adopt it. Maiden Rock supervisors took written comments on the recommended DRAFT ordinance and held a public hearing on the ordinance. There were no comments made opposing the ordinance. It was passed on December 9, 2024.

What is the Operations Ordinance? Does it ban CAFOs?

The operations ordinance does not ban CAFOs. Instead, if a large livestock facility wants to move in or expand there is an open process in which owners develop plans that address community concerns about manure, air pollution, water usage, carcass disposal, biosecurity, fire protection and road damage.

CAFOs pay for enforcement of their plans. In addition, they must post a bond to cover clean up if they go out of business.

| CAFO Operations Ordinance vs Wisconsin Laws & Regulations | | |
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| | Existing Laws & Regulation | Operations Ordinance |
| Enforcement | Taxpayers pay costs. Inspections only done every 5 years. | Permittee pays all costs for regular enforcement |
| Manure Storage Plan | Permittee self-reporting | Permittee pays all costs for regular enforcement |
| Manure Spreading Plan | Permittee self-reporting | Permittee pays all costs for regular enforcement |
| Air Pollution Controls | Not required | Required |
| Infectious Disease Plan | Not required | Required |
| Carcass Disposal plan | Not required | Required |
| Biosecurity Plan | Not required | Required |
| Road Plan | Not required | Required |
| Water Use Plan | Not required | Required |
| Impact on Property Value Analysis | Not required | Required |
| Fire Response Plan | Not required | Required |
| Financial Bond if Factory Closes | Not required | Required |

Do we really need to worry about CAFOs coming into Maiden Rock?

There is nothing hypothetical about attempts to build new and expanded CAFOs in Wisconsin towns. Federal and state governmental policies encourage investors to build bigger and control more land to spread millions of gallons of liquid waste made up of raw feces, urine and process water.

For More Information: www.TownofMaidenRock.info

Who pays to review and enforce the plans required by the Operations Ordinance?

Taxpayers do not pay these costs. The permittee pays for the Town to hire third parties, chosen by the town, to review the plans and oversee enforcement. ***Won't state laws protect us?***

State laws do almost nothing. DNR's regulations cover livestock waste but enforcement is based on self-reporting. Inspections are done only once in five years. [Emerald Sky Dairy in St. Croix County spilled 300,000 gallons](#) before a whistleblower turned them in. DNR funding is limited by the legislature - there are only a few handfuls of staff to oversee 337 CAFOs.

There is no limit to how big these operations can get. In beautiful Door County, WI the DNR is allowing a dairy to have more than **10,000 animal units** and spread **95 million gallons** of liquid waste over more than **9,200 acres**. State laws do not require CAFOs to submit plans for controlling air pollution even though they run fans 24/7 so the animals don't die from the hydrogen sulfide and ammonia fumes.

DNR may soon lose authority over CAFOs. Wisconsin Manufacturers and Commerce (WMC) filed a May 2023 lawsuit in Calumet County Circuit Court challenging the little authority DNR has. Judge Reed ruled the DNR has authority but [WMC appealed that decision](#) in March 2024 continuing to demand the removal of state regulations for CAFOs.

Does Maiden Rock have legal authority to adopt an Operations Ordinance?

Towns have authority under the Wisconsin Constitution and Wisconsin Statutes. At a March 2024 Wisconsin Senate hearing, the Wisconsin Farm Bureau testified multiple times that Operations Ordinances are legal and they want them preempted.

How was the Operations Ordinance developed?

Maiden Rock's ordinance builds on work done by six Wisconsin towns that partnered to develop a model operations ordinance in 2021. A panel of legal, environmental and engineering experts guided development of the model ordinance that any Wisconsin town can craft to fit their circumstances.

How is the Operations Ordinance structured?

In-depth research on the CAFO industry and a town are the ordinance's foundation. Findings of facts are pulled from the research laying out the need for the ordinance. The ordinance is structured with the findings of facts first, followed by multiple sections establishing a town's authority, application process, fees, conditions, etc. Three appendices contain in-depth research about the CAFO industry and the town, as well as, a permit application form.

Would a Maiden Rock ordinance cover our current small livestock farmers?

The ordinance only covers Maiden Rock farms with more than [1,000 animal units](#). This is also how DNR defines a CAFO. Farms expanding to over 1,000 would then be covered. Outside operations over 1,000 animal units spreading waste here would also be covered.

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