Approved – December 10, 2025

TOWN OF GILMAN, PIERCE COUNTY, WISCONSIN

ORDINANCE NO. 2025-01
CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO) ORDINANCE

WHEREAS, the Planning Commission of the Town of Gilman reviewed the possible impacts of permit issuance under the CAFO Ordinance;

WHEREAS, the Town devoted a substantial amount of time and expertise in reviewing the potential impacts of large-scale livestock farming with respect to the particular natural resources on the Town of Gilman;

WHEREAS, the Committee reviewed the scientific literature and formulated recommendations to the Town of Gilman Town Board for ordinance provisions to address the concerns raised by CAFOs;

NOW, THEREFORE, the Town Board of the Town of Gilman makes the following Findings of Fact and declarations in support of this Ordinance:

Local Findings

1. The Town of Gilman's Comprehensive Plan was adopted in 2009. The Plan acknowledges the importance of evaluating environmental impacts and the effects one land use may have on adjacent properties or an area as a whole. It attempts to forestall potential conflicts arising from incompatible or inappropriate land use. Goals are to maintain quality of life, safety and protect the natural resource base. Ordinances are recommended to be submitted by an applicant and approved by the Town Board. These should include but not limited to: Public utilities needed, a site plan, a plan for storage and disposal of solid waste and hazardous materials, water usage in terms of high capacity wells. In June of 2001 all Wisconsin Counties were obligated to adopt an ordinance for nonmetallic mine reclamation. The purpose of the ordinance is to address environmental issues such as surface and groundwater contamination. (Town of Gilman's Comprehensive Plan)

2. The Town is located in Pierce County. The county's Waste Storage Ordinance was updated in 2023. It addresses concerns about the impact of livestock waste on the health of residents, livestock, animals, plants and to the property tax base. The ordinance also recognizes that improper management of waste storage facilities and use of waste may cause pollution to ground and surface waters. Anyone who constructs or enlarges a waste storage facility is required to be permitted.

   Waste is defined as manure, milking center waste and other organic waste. Manure is defined as livestock feces and urine as well as other materials such as bedding, water, soil, hair, feathers and debris. Erosion, tillage, setback and phosphorus standards must be met. New or altered facilities must be designed, constructed and maintained to minimize the risk of structural failure and to minimize the potential for waste to discharge to surface water or groundwater.

   Waste storage facilities may not lack structural integrity or have significant leakage. Liquid waste storage capacity shall be a minimum of 180 days for reasonably foreseeable storage needs based on the operator's waste and nutrient management strategy. The Certificate of Use requires annual reports on Nutrient Management Plans requires landowner agreements for land not owned by the applicant, compliance with standards and 180 days of liquid waste proof storage capacity. (Pierce County Waste Storage Ordinance 23-02)

3. The Town conducted a comprehensive literature review which provides thorough documentation of the risks associated with CAFOs included as Appendix A. Maps of data specific to the Town of Gilman are included in Appendix B.

4. The Town recognizes the importance of protecting water and air quality, and that proper management, including proper management of nutrients from livestock operations, is essential to the protection of groundwater, surface water and air quality, public health, domestic and wild animal health, property values, safety and welfare.

5. The 2024 Wisconsin Ground Water Coordinating Council reports that nutrient application from fertilizers and manure on agricultural fields accounts for 90 percent of nitrate in groundwater. Models estimate that 13.5% of Pierce County wells

have nitrates levels over the 10 mg/L standard. Nitrate contamination continues to rise. Though research is ongoing, the Wisconsin Department of Health Services concludes that high levels of nitrate in drinking water can pose some serious public health risks, including:

- Infants below the age of 6 months can become seriously ill with a condition called methemoglobenemia or "blue-baby syndrome."
- Birth defects affecting how the brain and spinal cord form that can occur early in pregnancy before a person even knows that they are pregnant.
- Long term consumption of water high in nitrates may increase the risk of thyroid disease and bladder and colon cancer.

(2024 WI Ground Water) (WI DHS)

6. At this time, there is no systematic or ongoing testing of private wells done by the State of Wisconsin or Pierce County. However, a 2024 review of the Wisconsin Well Water Quality Viewer, maintained by UW-Sevens Point, there were 122 wells tested and 3% of them were above 10mg/L, the national safe drinking water limit for nitrates. In addition and 63% of them were in 2-10 mg/L range showing signs of negative influence from land use.

7. Like all of Pierce County, the Town of Gilman is ranked high by WDNR for groundwater contamination potential. Therefore the protection of this resource is of utmost importance to all who live and work here. (Town of Gilman Comprehensive Plan) (2024 WI Ground Water)

8. All of the Town's over 1000 residents rely on groundwater for drinking, cooking, bathing, irrigating and watering livestock. Excess nitrates and other contaminants potentially found in well water present significant health risk to the Town of Gilman residents. (Town of Gilman Comprehensive Plan)

9. Pierce County Land Conservation department, Ad Hoc Groundwater Committee and the Finance Committee have proposed that the county fund a 5-year, 300-well testing program through UW-Stevens Point. That program was approved in 2025. It has not yet started. (Pierce County Groundwater Committee) (UWSP-Well Water)

10. The Town has a vulnerable landscape with large areas susceptible to groundwater pollution. Five factors contribute to groundwater susceptibility, including: type of soil, bedrock and materials between soil and bedrock; depth to bedrock; and depth to groundwater table. Data from the Wisconsin Department of Natural Resources (WDNR) Groundwater Susceptibility Model were divided into five evenly spread categories ranging from high to low. Of the Town's total acres:
    - <1% are moderately high to highly susceptible
    - 31% are moderately susceptible
    - 68% are moderately low susceptibility
    - 1% are least susceptible

    (See Appendix B. Map 1.)

Depth to Groundwater	
1-20ft	0%
20ft - 50ft	2%
Over 50ft	98%

11. For approximately 98% of the Town of Gilman's acres groundwater is at depths greater than 50 feet below the land surface and 2% of acres lie from 20 feet to 50 feet. Map 2 in appendix B.

12. Data for the Town of Gilman extracted from WiscLand 2 show the approximate land cover as follows:

Land Cover - WiscLand (NOT land use) (See Appendix B. Map 3)			
Land Cover	%	Land Cover	%
Agriculture	36	Open Water	<1
Barren	<1	Shrubland	<1
Forest	22	Urban/Developed	1
Grassland	40	Wetland	1

13. See Appendix B. Map 4 for the Fragile Soil Index for the Town of Gilman. The total acres the Natural Resources Conservation Service (NRCS) Web Soil Survey for show this distribution:

Fragile Soil Index - Town of Gilman (See Appendix B. Map 4)			
Fragile	5%	Slightly Fragile	0%
Moderately Fragile	87%	Not Fragile	0%
		None or not rated	8%

14. Appendix B. Map 5 for the Town of Gilman's total acres the NRCS Web Soil Survey shows the limitations rating for Manure and Food-Processing Waste:

- 56% Very Limited – Limitations cannot generally be overcome. Poor performance and high maintenance can be expected.
- 43% Somewhat Limited –Limitations can be overcome or minimized by special planning, design, or installation.
- 1% Not Limited or Not Rated

15. The main water feature of the Town of Gilman is the Rush River. Water quality is dependent on preventing runoff of soil, chemical pollutants and animal waste into rivers and lakes. (Town of Gilman Comprehensive Plan) (WDNR Impaired Water).

16. As agricultural operations, CAFOs are not required to submit engineering, plumbing or electrical plans. Potential concerns of fire fighters include, but are not limited to:

- Where to contain thousands of animals evacuated from a burning building
- How to contain firefighting water runoff
- Large scale of the buildings in proportion to local firefighting equipment
- Location of fire doors, hook-ups for access to high capacity wells, gas lines
- Access, at all times, to water sources such as high capacity wells
- Availability of generators in case of power outage
- Need for rally point for all farm workers to ensure all are accounted for in event of fire
- Need for pre-incident meeting and on-site staff emergency training

17. Spring Valley Volunteer Fire Department services Gilman that has the following equipment

- Engine: 500 gal and 30 gal foam
- Rescue Squad: 300 gal of water and 30 gal of foam
- Pumper Tender: 2500 gal of water and 30 gal of foam
- Ladder truck: 75’ aerial 500 gal water and 30 gal of foam
- Brush trucks 300 gal & 20gal foam
- UTV: 80 gal & 5 gal foam
- Water tender trucks: 3,500-gallon

18. If the site has high capacity wells that to aid in firefighting they need to be easy to access at all times with the equipment and the fittings need to be confirmed in advance. The Gilman area is split into several sections with the section north of 29 from Hwy 63 Cty I covered by United Fire and the south side from hwys 63/29 to 410th Ellsworth assisting. From 410 through to CC Elmwood assists. Gilman also participates in the Mutual Aid Box Alarm System. This is a cooperative that allows hundreds of fire departments to share resources and respond to emergencies. Ten to thirty local fire departments would be paged and respond depending on the size and nature of the fire

19. Local fire departments work in partnership with the Chippewa Valley Technical College (CVTC) on training programs. CVTC does not have firefighting training specific to CAFOs. The National Fire Protection Agency (NFPA) publishes a range of standards and codes. Their NFPA 150: Fire and Life Safety in Animal Housing Facilities Code does not specifically address CAFOs or the anaerobic digesters that many CAFOs are now adding. (NFPA Hawes email) (NFPA 150) (Chippewa Valley Schwartz email)

20. The Town of Gilman's total 2024 tax assessed property value is $137.5 M Property values could be affected by CAFOs depending on where they are located:
    a. Property values within 1/2 mile of 8 selected sites range in value from $1.5 million to $8.3 million (See Appendix B. Map 6)