

DRAFT FOR DISCUSSION ONLY
TOWN OF MAIDEN ROCK
PIERCE COUNTY, WISCONSIN

ORDINANCE NO. 24-XXX
CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO) ORDINANCE

WHEREAS, the Town Board of the Town of Maiden Rock established the Operations Ordinance Study Commission (Commission) to complete a review of 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 of the Town of Maiden Rock;

WHEREAS, the Commission reviewed the scientific literature and formulated recommendations to the Maiden Rock Town Board for ordinance provisions to address the concerns raised by CAFOs;

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

Local Findings

1. The Comprehensive Plan was adopted by the Town Board of Maiden Rock in 2008. As part of the planning process, the Town surveyed residents in 2003 for their opinions about future growth and development. Responses indicated a preference for maintaining a rural atmosphere in the town, supporting various forms of agriculture, along with a strong emphasis on land use regulations that protect groundwater, Pine Creek, Rush River, forests, natural areas, wildlife and clean air. In a 2007 county wide survey, 63% of Maiden Rock Town residents supported land use regulations that would protect groundwater. The plan sees the Town's environment as communal property to be protected and respected by all residents. As history has shown, the violation of the environment by a single entity can easily affect all residents. ([Town of Maiden Rock Comp 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, compliance with standards and 180 days of liquid waste proof storage capacity. ([Pierce County Waste Storage Ordinance 23-02](#))

3. The Town's Road Ordinance: TO BE ADDED
4. 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 Maiden Rock are included in Appendix B.
5. 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.
6. Data for the Town of Maiden Rock extracted from WiscLand 2 show the approximate land cover as follows:

Land Cover - WiscLand (NOT land use)	Percent
Agriculture	43%
Barren	0%
Forest	34%
Grassland	10%
Open Water	8%
Urban/Developed	1%
Wetland	3%

(See Appendix B. Map 1.)

7. All of the Town's 605 residents rely on groundwater for drinking, cooking, bathing, irrigating and watering livestock. ([Town of Maiden Rock Comp Plan](#))
8. Some private well owners in the Town test their water and XXX wells were tested in 2024. Results from 2024 found XXXX. Non-statistical data collected by the University of Wisconsin-Stevens Point includes XXX tests. Of these samples, XXX exceed the nitrate standard of 10 mg/L, XXX. However, there is no systematic or scientific long-term effort by Maiden Rock, Pierce County or Wisconsin to test or collect and analyze results. ([WI Well Water Quality Viewer](#))
9. 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:
 - 34% are moderately high to highly susceptible
 - 40% are moderately susceptible
 - 26 are moderately low susceptibility
 - 0% are least susceptible

(See Appendix B. Map 2.)

10. Approximately 88% of Maiden Rock's total acres have groundwater over 50 feet above the land surface. Ten percent lies from 20 feet to 50 feet and 2% is less than 20 feet.

Depth to Groundwater	
1-20ft	2%
20ft - 50ft	10%
Over 50ft	88%

(See Appendix B. Map 3.)

11. Of Maiden Rock's total acres the Natural Resources Conservation Service (NRCS) Web Soil Survey for Fragile Soil Index shows that:

- 0% Extremely to Highly Fragile
- 10% Fragile
- 2% Moderately Fragile
- 88% Slightly Fragile
- 0% Not Fragile
- 10.1% None or Not Rated

(See Appendix B. Map 4.)

12. Of Maiden Rock's total acres the NRCS Web Soil Survey shows the limitations rating for Manure and Food-Processing Waste as follows:

- 68.2% Very Limited – Limitations cannot generally be overcome. Poor performance and high maintenance can be expected.
- 21.6% Somewhat Limited – Limitations can be overcome or minimized by special planning, design, or installation.
- 10.1% Not Limited or Not Rated

(See Appendix B. Map 5.)

13. The 2020 Wisconsin Ground Water Coordinating Council report finds that nutrient application from fertilizers and manure on agricultural fields accounts for 90 percent of nitrate in groundwater. The report and many studies summarize health risks from nitrate pollution, including:

- Infants below the age of 6 months are especially at risk and could become seriously ill with a condition called methemoglobinemia or “blue-baby syndrome”
- Growing evidence of a correlation between nitrate and diabetes in children
- Birth defects have been linked to nitrate exposure
- Thyroid disease
- Increased risk of non-Hodgkin’s lymphoma, gastric cancer, colon cancer, bladder and ovarian cancer

14. Excess nitrates and other contaminants potentially found in well water present significant health risk to Maiden Rock residents, all of whom rely on private groundwater wells for their water supply. Therefore the protection of this resource is of utmost importance to all who live and work here.

15. XX of Maiden Rock's water bodies, XX and XX, are listed as impaired waters under the federal Clean Water Act for high levels of phosphorus.

16. The Town lies in the driftless ecosystem of the Mississippi River - Lake Pepin/Canon/Vermillion Basin of the Lake Pepin watershed. Under the US Clean Water Act, Lake Pepin is classified as impaired because of phosphorus pollution. Lake Pepin forms the boundary between the states of Minnesota and Wisconsin. Minnesota Pollution Control Agency's 2021 Total Maximum Daily Load (TMDL) report for Lake Pepin was approved by the US Environmental Protection Agency. This TMDL characterizes the watershed, models phosphorus loading and creates an implementation plan for meeting phosphorus level standards. However, this TMDL only addresses the Minnesota side of the watershed. Wisconsin DNR has not completed their TMDL. ([Lake Pepin Total Maximum Daily Load Report](#))
17. The Lund Fire District serves the Town as well as Stockholm Township, Village of Stockholm and Pepin Township. The district is operated by xxx volunteer firefighters, chief and XXX. There are xxx pumper trucks, xx xxx. In addition, Lund Fire District has xxx agreements with XXX districts within xxx miles with xxx pumpers, xxxx. Firefighters do not have specific training for available for CAFO fire readiness. (SOURCE?)
18. Flooding: TO BE ADDED
19. Carcass disposal: TO BE ADDED
20. Maiden Rock's total 2020 tax assessed property value is approximately \$87.8 million. Property values could be affected by CAFOs depending on where they are located:
 - Property values within 1/2 mile of 8 randomly selected sites range in value from \$623,900 to \$1.86 million.
 - Property values within 1.5 miles of 8 randomly selected sites would range in value of \$2.2 million and \$24 million(See Appendix B. Maps 6-7.)