

JEFFERSON COUNTY FARMERS AND NEIGHBORS, INC.

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**Comments to Jefferson County Board of Supervisors and Iowa DNR Regarding
RWP, LLC Master Matrix**

Diane Rosenberg
President and Executive Director

JFAN reviewed and analyzed the RWP, LLC Master Matrix and found four questions for a total of 80 points that we strongly feel are insufficient and strongly urge the Jefferson County Supervisors to deny.

17. Proposed manure storage structure is formed. – 30 points

This question requires design, operation and maintenance plans. While the design and operation plans are sufficient, the maintenance plan is not. It doesn't describe what will take place to perform regular routine maintenance actions. It just says maintenance will be minimal and concrete repair will be reported to a knowledgeable local contractor.

Concrete is known to crack and manure leaking from a cracked pit poses dangers to the environment. What are the steps taken to monitor the pit and perimeter tile to ensure cracking hasn't taken place? How often is this taking place? Who is doing it? How soon will any damage be reported? Who does Mr. Greiner have lined up to make repairs? All these things should be in place for a building of this magnitude and its impact on the environment. Please see the attached copy of a Master Matrix of the Circle G Pork CAFO in Adair County that the DNR has determined meets the requirements of a maintenance plan. This one does not.

30 points should be removed.

19. Proposed confinement site has a suitable truck turnaround area so that semitrailers do not have to back into the facility from the road. – 20 points

Again, the design plan provided is not a suitable drawing to demonstrate that the truck turnaround will actually be the required 120 feet in diameter. It's even less detailed than the one provided in the Daniels Site Master Matrix. It's just an aerial photograph with a drawing superimposed on it. The photograph provides no measurements except for what is written in the comments section. While there is a scale, there is no way to know if the drawing is accurately to scale.

An engineering drawing with exact measurements should have been supplied to receive these points. An engineering drawing was provided in Question 17 to meet the requirements of the design plan for that question. Why was one not provided for this question? What is provided is insufficient and therefore it should not be granted points.

20 points should be removed.

24. Facility Size – 1 to 2000 animal unit capacity – 20 points

As per discussions with former DNR employee Gene Tinker, the DNR can only ask how many hogs are intended to be placed in confinement. The DNR can't ask how many are actually held in the confinement nor can they go in and count them. According to Mr. Tinker, the DNR knows that frequently CAFOs hold more hogs than an application states and the agency went as far as working with the Attorney General's Office to address this issue. The DNR was told the laws must be changed.

Mr. Greiner's application says the expansion will now hold 1999.2 animal units (4998 hogs). An email was supplied from Tork Whisler of Eichelberger Farms stating "Our current contract with Mark Greiner is for 2499 pig spaces. If Mark was to build a building of the same dimensions, we would write a contract for that barn at 2499 spaces also."

An email is not sufficient documentation. Anyone can write an email and state anything whether it is true or not. Please see the attached email written by Diane Rosenberg that states Jefferson County now has a moratorium on new and expanding CAFOs beginning August 20. It's obviously not true. But it's an email.

JFAN contends that legal documentation, such as a signed contract with Eichelberger Farms, be part of the Master Matrix in order to get the points. If a contract can't be supplied, then the points should not be taken.

There is no contract in this Master Matrix, therefore points should not be granted for this question.

20 points should be removed.

33. Additional separation distance of 50 feet, above minimum requirements (0 or 200 feet, see below), for the land application of manure to the closest private drinking water well or public drinking water well - OR well is properly closed under supervision of county health officials. – 10 points

I reviewed all the documentation provided with this question identifying on Google Earth the active, inactive, and plugged wells. However, I found the documentation incomplete. I identified two fields where historic aerial photographs indicate locations of older homesteads. New buildings are now located on these sites but there is no way to know if they are using the same wells or have had to dig new ones since no documentation is provided for these sites.

The first is the Schillerstrom Farm where historic photos from 1950 show a different outcropping of buildings than the current buildings. The manure is not going to be applied around the current buildings at this site (see the MMP map), however as the well map in Question 7 demonstrates, a well may be located many feet away from a building. Mr. Greiner's well to supply water for the CAFO is 1175' from the confinement.

With all the documentation provided, there is no evidence of where the well for the older home site may have been and if it was plugged, just as there is no evidence of the location of the well for the current building. Either one may be located where the manure will be applied. We don't know.

The exact same thing is true for the Rogers F2 fields as you can see from the 1970's historic map of an older homestead as compared to the 1980's historic map and the current Google Earth Map, both of which show a newer building.

In both instances, well documentation should be provided to demonstrate that there is no risk of manure contaminating groundwater either through an unplugged well or active well. In providing the well documentation for the other sites, Knee Deep Solutions and Mr. Greiner demonstrate that this information is pertinent to this question.

Further, there is no signed contract provided with a manure applicator that attests manure application will be either injected or incorporate on the same day of application and that it will be applied that additional 50' away from any wells. How do we know that will actually take place without a contract sealing this as a formal agreement? None of this important information is provided, and points should not be granted.

10 points should be removed.

Conclusion and Recommendation

Every Master Matrix should be evaluated using the highest standards possible, and every board of supervisors has in their power to determine the level of high standards they feel is important to maintain in order to protect the well-being of each of their constituents.

With an expansion to 4998 hogs that will generate 1.2 million gallons of manure every year, RWP, LLC is a very large confinement with the potential to significantly negatively impact the environment and local community. Therefore, we ask Jefferson County Supervisors to evaluate this Master Matrix using the highest standards intended by law.

JFAN found four questions that don't meet those high standards. We highly urge the Jefferson County Supervisors to deny the points for those questions and deduct a total of 80 point from this application.

That would give the Daniels Site a failing score of 425 points.

Further if the supervisors have any question as to whether the question merits the points, we strongly recommend they do not grant the points because then the Iowa DNR can review RWP, LLC's Master Matrix. **There is no penalty to the Jefferson County Board of Supervisors in doing so. Once you approve a Master Matrix, the DNR will not review the Matrix.**

JFAN urges the Jefferson County Supervisors to fail the RWP, LLC Master Matrix.