

# Ashland County Large-Scale Concentrated Animal Feeding Operations Ordinance

## APPENDIX A: CAFO OPERATIONS PERMIT APPLICATION

Application Filing Fee: \$ \_\_\_\_\_ (# of Animal Units)  $\times$  \$1.00 per AU = \$ \_\_\_\_\_

Date of Application: \_\_\_\_\_

Name of Individual or Organization Operating CAFO): \_\_\_\_\_

\_\_\_\_\_

Name of Individual Completing Application: \_\_\_\_\_

Federal Employer ID# \_\_\_\_\_ State Employer ID# \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_ Cell Phone: ( ) \_\_\_\_\_

Email: \_\_\_\_\_

### **Livestock Facilities**

Provide the Legal Description and owner name and contact information for each parcel of the land at which the livestock facilities will be located. If any of the land is rented include a copy of the lease agreement or other document demonstrating permission to use the land and/or facilities as proposed. Provide the following information for each parcel.

\_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$ , Section \_\_\_\_\_ Township \_\_\_\_\_ N. Range \_\_\_\_\_ W. Town of \_\_\_\_\_

Tax Parcel ID Number: \_\_\_\_\_ Acreage \_\_\_\_\_

Name and Address of Land Owner:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_



**Owned and Rented Land**

Provide the Legal Description and owner name and contact information for each parcel of owned or rented land proposed to be used in conjunction with CAFO Operations (e.g. manure spreading). For each parcel of Rented land include a copy of a cropland lease agreement or other document demonstrating permission to use the land as proposed. The term of the lease agreement must be clearly indicated in the lease agreement. Provide the following information for each parcel.

Own \_\_\_\_\_ Rent \_\_\_\_\_  
\_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Section \_\_\_\_\_ Township \_\_\_\_\_ N. Range \_\_\_\_\_ W. Town of \_\_\_\_\_

Tax Parcel ID Number: \_\_\_\_\_ Acreage \_\_\_\_\_

**Name and Address of Land Owner:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

(1) Describe current land uses within and immediately adjacent to the proposed CAFO site, including aerial photographs. For lands being used for crop production, include a description of crops currently being grown with an estimate of acreage of each crop.

(2) Permits:

a. Does this CAFO have an Ashland County Siting License? **Yes**\_\_\_\_ **No**\_\_\_\_ **N/A**\_\_\_\_

b. Does this CAFO have a Wisconsin Pollutant Discharge Elimination Systems Permit?  
**Yes**\_\_\_\_ **No**\_\_\_\_

c. Does this CAFO have Ashland County Land Use Permit(s)? **Yes**\_\_\_\_ **No**\_\_\_\_  
If so, identify the permits held

\_\_\_\_\_  
\_\_\_\_\_

d. If this CAFO lacks any of the above permits, please set forth all plans to obtain any of the above permits, including when applications have been or will be filed, and the expected date for approval or denial of the permit.

**(3) Location/Crops/Phosphorus:**

a. Identify each structure or facility intended to be used in conjunction with the proposed CAFO, setting forth the location, physical dimensions, and intended use for each structure, as well as how many animal units, if any, will be housed in each structure. At a minimum, include all information and drawings required by Wisconsin Administrative Rules, Chapter NR 243.12(1)(a) 1 through 5.

b. List each crop that will be grown on land managed by the CAFO. Provide an annual yield estimate for each crop and an explanation of how that estimate was determined.

- c. Provide aerial photos that identify all perennial streams, intermittent streams, navigable waters, and direct conduits to navigable waters on or within 1,000 feet of any parcel of land intended to be used in conjunction with the proposed CAFO.
- d. Provide a soil map using SSURGO data for all parcels of land intended to be used in conjunction with the proposed CAFO. Include a soil map unit description for each predominant and critical soil type shown on the maps and include an estimate of soil depth to bedrock or gravel or sand deposits. Include soil test data for phosphorus with one sample per five acres. The soil test data must have been collected no more than 12 months prior to submission of this application.
- e. Using the P-Trade report in SNAP-PLUS or other viable means, provide an estimate of total annual field edge phosphorus losses for all fields to be used in conjunction with the proposed CAFO for each of the two full calendar years prior to the date submitting this application.
- f. Provide an estimate of total annual phosphorus losses for each of the two full calendar years prior to the date submitting this application for all existing agricultural facilities (buildings, animal lots, animal feeding areas, feed storage etc.) on all lands to be used in conjunction with the CAFO.
- g. Provide an estimate of total annual phosphorus losses for each of the full five calendar years of the proposed operations for all existing and proposed agricultural facilities (buildings, animal lots, animal feeding areas, feed storage, etc.) on all lands to be used in conjunction with the CAFO.

**(4) CAFO operations:**

- a. Describe the method or methods the CAFO will employ to store any and all animal waste products, including describing the exact location where such products will be stored at any time during operation of the CAFO. You may refer to information and drawings submitted in response to paragraph (3) a. above, as appropriate.
- b. Describe the method or methods the CAFO will employ to handle and process any and all animal waste products, including the specific machinery and methods that will be employed, the location where the processing of waste will take place, and any materials or chemicals that will be used. Describe any technology or processes that will be used (such as anaerobic digestion) that will alter pathogen loads, nutrient content, or moisture levels of the manure prior to land-spreading.
- c. Provide a complete nutrient management plan that meets the requirements of Wisconsin Administrative Code NR 243.14. The plan shall be based on the volume of manure that will be generated by the operation in each of the five calendar years covered by this Permit. Include all lands being used in conjunction with the operations of the CAFO, including but not limited to: spreading manure, growing and harvesting crops, applying commercial fertilizer, shall be included in the nutrient management plan. Provide a copy of a cropland lease agreement or

other document for all rented lands included in the nutrient management plan. The lease agreements must clearly allow the land use as proposed in the nutrient management plan.

- d. Provide an estimate of how many livestock mortalities are expected for the operation in a given year and a description of how that estimate was determined. Describe the method or methods the CAFO will use to store dead animals (carcasses), including describing the exact location where such carcasses will be stored and for how long.
- e. Describe the method or methods the CAFO will use to handle, process, and dispose of any and all dead animals, including the specific technology, machinery, and methods that will be employed, the location where the processing/disposal of carcasses will take place, and any materials or chemicals that will be used. If licenses or approvals are necessary from the Wisconsin Department of Natural Resources or other state, town, or federal agency, provide copies of those licenses, permits, and/or approvals. If this CAFO lacks any of the required licenses, permits, and/or approvals, describe all plans and expected dates for receiving them.
- f. Describe the technologies or method(s) the CAFO will employ to reduce, eliminate, or treat methane, nitrous oxide, ammonia, hydrogen sulfide, and particulate emissions from the proposed CAFO, including the specific technology, machinery, and methods that will be employed, and any materials or chemicals that will be used.
- g. Describe how animals will be transported to, from, and within the CAFO, including a description of the type, size and weight (loaded gross vehicle and each axle) of the transportation vehicles, all highways or roads within the County that will be used, the proposed hours of operation for said transportation, and the specific path of travel for all such transportation.
- h. Describe how all animal waste will be transported to, from and within the CAFO, including a description of the type, width, length, and weight (loaded gross vehicle and each axle) of the transportation vehicles, all highways or roads within the County that will be used, the proposed hours of operation for said transportation, and the specific path of travel for all such transportation.
- i. Describe how all other products or materials (apart from animals or manure) will be transported to, from and within the CAFO, including a description of the type, width, length, and weight (loaded gross vehicle and each axle) of the transportation vehicles, all highways or roads within the County that will be used, the proposed hours of operation for said transportation, and the specific path of travel for all such transportation.

- j. Describe the type, width, length, and weight (loaded gross vehicle and each axle) of each implement of husbandry (excluding manure and animal hauling equipment) that will be used on highways or roads within the County. Provide aerial photos showing the specific path of travel for the implements of husbandry and the estimated hours of operation of the equipment on the highways or roads in Ashland County.
- k. If manure is transported by pipeline (permanent or temporary) to fields for land-spreading provide a map showing the intended route and the location and photo of every culvert used along the route. Show all perennial streams, intermittent streams, and direct conduits to navigable waters on the map(s). If required, provide a copy of the permit(s) allowing use of the right-of-way or culvert. If crossing driveways or land not under the control of the CAFO, provide a letter from the landowner clearly granting permission to cross the driveway or land with the permanent or temporary pipeline.
- l. Identify all residential and business structures within 500 feet of a gravel road in Ashland County used at any time of the year by implements of husbandry, agricultural CMVs, tractor-trailers, or semi-trailers. Describe how road dust generated by use of the gravel roads by the CAFO will be controlled.
- m. Identify the source of all water to be used at the proposed CAFO facility and the anticipated quantity of water that will be necessary for all CAFO related operations, and also set forth the location of any private or public well located within 1000 feet of any parcel of real estate to be used in conjunction with the proposed CAFO facility. Provide well-drilling records, if available, for all private or public wells within 1000 feet of any parcel of real estate to be used in conjunction with the proposed CAFO facility.
- n. Identify a CAFO having substantially similar operational characteristics, housing the same species of animals, and utilizing similar operations, that has been continuously operated in the United States for at least ten (10) years without causing pollution of groundwater or surface water, and without causing either a private nuisance or a public nuisance. Set forth in what ways said existing CAFO has similar operational characteristics of the CAFO proposed in this application. In the alternative, state whether the applicant is requesting a waiver of this requirement and, if so, provide information that may be verified by the County, to show that the proposed CAFO will otherwise meet the requirements set forth in Sections 4(d), 4(e), 5(g) and 5(h) of the Ordinance.

**(5) Animal Welfare:**

- a. Describe how all animals will be housed in the proposed CAFO, including a description of the size of each pen or stall any animal will be kept in, the number of animals that will be kept within each pen, and the location and type of any outdoor area allotted for animals.

- b. In the event of power outages or equipment failure, describe how the welfare of animals housed by the CAFO will be maintained including, but not limited to: providing water, venting hazardous air emissions, cooling, and feeding.
- c. Describe how all animal units will be fed, including the type of feed, the amount of feed per animal, the method of feeding each animal, etc.
- d. Apart from the feed identified above, identify all products (including chemicals or medicines) that will be injected in, fed to, or otherwise administered to animals in the CAFO on an ongoing basis (i.e. at least once per month):
- e. Identify any and all measures that will be taken to prevent the spread of disease between animals and between animals and humans at the proposed CAFO.
- f. Identify all veterinary care that will be routinely administered to or available to the animals of the proposed CAFO, and identify all medicines or treatments that are anticipated to be administered to animals of the proposed CAFO. Identify steps that will be taken by the CAFO to limit development of resistance to antibiotics.

**(6) Employee Welfare:**

- a. Identify the number of anticipated employees at the proposed CAFO.
- b. What type of education will employees receive regarding operating safe CAFOs and maintaining safe and healthful conditions for animals and employees at said facility?
- c. What type of healthcare will be made available to employees of the proposed CAFO, or what type of routine medical examinations will be performed?
- d. What are the hours and days of anticipated operation of the proposed CAFO specifically identifying days and times where machinery or other equipment that may make noise detectable to neighboring properties will be in use?

**(7) Emergency management:**

- a. Set forth in detail an emergency plan of action in the event of soil, water or air contamination emanating from the proposed CAFO, or in the event of a spill of animal waste products, whether on or off the proposed CAFO site, including the name and contact information for emergency management response team members, the equipment and location of equipment available to respond to such an emergency situation, the anticipated timeline for response to an emergency event, and the anticipated testing measures to be used to ensure the emergency response was effective. At a minimum, include all information and drawings required by Wisconsin Administrative Rules, Chapter NR 243.12(13)6.

- b. Set forth in detail an emergency plan of action in the event of a mass animal mortality event (death of more than 5% of the animals within a 72 hour period) caused by natural disaster, disease, equipment failure, or other cause. Include the name and contact information for the emergency management response team members, the equipment and location of equipment available to respond to such an emergency situation, the anticipated timeline for response to an emergency event, and the anticipated testing measures to be used to ensure the emergency response was effective.
- c. Identify all residences and businesses within 1000' of the proposed CAFO site and provide names and contact information for all the owners of those residences and businesses. Indicate how each of those owners will be contacted within 30 minutes of a failure of air filtration or other equipment intended to limit emission of hazardous gasses or particulates.
- d. Set forth in detail all regular testing or monitoring that will take place to ensure that no contamination or environmental degradation is occurring as a result of CAFO related activities. Provide a description of the testing or monitoring protocols and schedule as well as how the data will be communicated to the County.

**(8) Environmental impact:**

- a. List resources that may be impacted by the proposed CAFO such as timber, agriculture, surface water, ground water, air quality, noise pollution and plant, wildlife or fish habitat. Describe measures that will be taken to mitigate those impacts.
- b. Are there any known endangered species on or near the proposed CAFO site? **Yes**\_\_\_\_\_ **No**\_\_\_\_\_. If yes – describe the species and whether an environmental impact statement will need to be prepared?
- c. Will groundwater monitoring wells be installed? If not, describe why not. If so, provide information on each monitoring well including anticipated well depth, well location, chemicals and/or substances that will be monitored, and the schedule and protocol for testing the water from each well. How will this information be shared with Ashland County and the public?
- d. Describe erosion control practices that will be used during the CAFO operations. If no measures will be used, explain why none are needed.
- e. Describe how concentrated flow areas and direct conduits to surface waters will be maintained in perennial vegetation. If concentrated flow areas and/or direct conduits to groundwater are rutted during field operations, describe how the concentrated flow areas and/or direct conduits to surface water will be repaired. Provide an estimate of how often the concentrated flow areas and/or direct conduits to surface water will need to be repaired.

**(9) Public and private nuisances:**

- a. Describe measures that will be taken to screen the CAFO operation from view of surrounding land uses or explain why such measures are not needed (include photos of the area to show affected areas or why no areas will be affected).
- b. Describe how odor from the livestock facilities and land-spreading activities will be controlled. If no such measures are necessary, explain why. Also explain the schedule and method for air quality testing, if any, within a quarter mile of the proposed CAFO's boundaries before, during and after the CAFO is opened, worked and closed.

**(10) Financial Security:**

- a. Set forth all bonds already in place in relation to CAFO operations and in support of this permit or, if no such bonds exist, set forth the amount the operation anticipates obtaining in a bond amount. Explain why this amount is sufficient pursuant to the terms of the Ashland County Livestock Operations Ordinance.

**(11) Example CAFO Operations:**

- a. Set forth all bonds already in place in relation to CAFO operations and in support of this permit or, if no such bonds exist, set forth the amount the operation anticipates obtaining in a bond amount. Explain why this amount is sufficient pursuant to the terms of the Ashland County Livestock Operations Ordinance.

Print or Type the Livestock Operator's Name: \_\_\_\_\_

Legal Name of Livestock Company: \_\_\_\_\_

Legal address of Livestock Company: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

***Signature:*** \_\_\_\_\_ **Date** \_\_\_\_\_

*Authorized Operating Company Representative's Signature*

Note: Signature of this application by the applicant or applicant's representative authorizes the County and its designees to enter upon the property to perform needed inspections at any time and on as many occasions as the County or its designee deems necessary without prior notice to applicant(s).

Note: Applicant(s) are required to provide **twenty-five (25) copies** of their completed application to the County Clerk upon submission, along with the application filing fee. The additional copies are for the County Board, adjoining landowners, and the general public at the public hearing.

Note: If the answers to any of the above questions can be found in an approved WPDES permit, applicant may refer to the appropriate sections of said permit and attach a copy thereof to this application.