How Money, Politics, and Pollution Created the Sacred Cow

In 1915 Wisconsin became the nation’s leading state for dairy production, eventually being surpassed by California in 1993. In years gone by, Wisconsin dairy farms were generally small family operations. However, today most of the 2.44 billion pounds of milk produced annually in the United States come from large farms and Concentrated Animal Feeding Operations (CAFOs). As a result of this shift in production, between 2016 and 2018 Wisconsin lost nearly 1,200 family-owned farms. According to the Wisconsin Department of Agriculture, Trade, and Consumer Protection, in 2003 the state had approximately 16,264 dairy farms. Today we have fewer than 7,000 and dairy herds are continuing to decrease by almost two per day.

Why are family owned and operated dairy farms going out of business? The short answer is changing consumer demand, higher per cow milk production, and low margins, all of which have also combined to result in huge milk surpluses. Consequently, small farms have had, and are having, great difficulty staying profitable.

Whole milk consumption has been on a steady decline in the United States, falling 40% since 1975. According to United States Department of Agriculture (USDA) data, overall milk sales declined by 22% between 2000 and 2016, and milk consumption is now at an all-time low. Consumers are moving away from dairy as they become increasingly aware of environmental, health, and animal welfare issues. Milk alternatives are also becoming much more popular. But despite these facts, Wisconsin milk production for 2020 set a new record of 30.7 billion pounds—up from 30.6 billion pounds in 2019. Consequently, according to the Dairy Farmers of America, the nation’s largest co-op, millions of gallons of surplus milk were simply dumped in 2020. Additionally, our federal government now
has over 1.4 billion pounds of cheese in storage!

However, these negative milk trends don’t seem to much matter in Wisconsin as CAFOs continue to expand and to produce additional milk. Closer to home, on January 4 and again on January 20, the Wisconsin Department of Natural Resources (DNR) held virtual public listening sessions for a huge herd expansion request that would allow a Kewaunee County CAFO, Kinnard Farms Inc., to increase their dairy herd from around 8,500 animals to 21,450 animal units. While this new permit would limit the number of cows and require the owners to monitor local groundwater, in arriving at the higher animal unit number, the DNR only considered the storage capacity of the Kinnard Farm’s manure pits and not the farm’s ability to safely dispose of all the cow manure produced. Why?!

This expansion proposal flies in the face of recognized science. In 2017 Dr. Mark Borchardt, a research microbiologist with the United States Department of Agriculture, and Maureen Muldoon, a geology professor with the University of Wisconsin-Oshkosh, presented findings from their extensive water testing study that examined well water quality in Kewaunee County. The researchers randomly selected 621 residential wells from a total of 4,896 existing wells in Kewaunee County. One third of the wells, 208 to be exact, tested high for nitrates or bacteria and 60% of the wells tested contained some fecal matter contamination. A high concentration of Bovine (cow) specific Rotavirus A was also found as were many other bovine and human pathogens, including E-coli, Salmonella, Rotavirus C, and the microorganism Cryptosporidium. The researchers were shocked by the results of their study. As Dr. Borchardt stated, “It’s pretty obvious what the problem is with 97,000 cattle producing 700 million gallons of waste annually and 4,822 septic systems in the county processing 200 million gallons of human waste annually.”

Professor Muldoon explained that the geological setting of both Kewaunee and Door Counties makes them extremely vulnerable to ground water contamination because of the very shallow soil depths over Karst rock structure, leading her to conclude that, “I cannot think of a worse place to put a lot of cows than northeast Wisconsin!”

So why is this large expansion of a Kewaunee County CAFO very likely to be approved by the DNR over strenuous public objection? In my opinion, because of money. Money in the form of large campaign contributions. Large corporations, wealthy individuals, and political action committee (PAC) campaign contributions are too often determining our election results. Representatives who are elected because
Wisconsin DNR set to allow CAFO Expansion in Kewaunee County

Kinnard Farms, located in Kewaunee County, is one of Wisconsin’s largest dairy farms. The dairy farm currently houses about 8,500 animal units. And while the farm has stated it has no current plans to expand, the Wisconsin Department of Natural Resources is amending Kinnard Farms’ current permit to include an animal cap of 21,450 animal units! Why?

This move by the DNR to nearly triple the number of permitted animals at this large-scale, industrial farm, also known as a CAFO (concentrated animal feeding operation), is drawing heavy opposition from residents, environmental groups, and some farm groups.

Kewaunee County, where water testing has shown high levels of contaminants in residents’ private wells, is home to 16 industrial farms where agricultural pollution has been an issue for many years. The pollution issues result from the land application of manure, which then seeps into the ground and leaches into groundwater. Neighbors of Kinnard Farms have reported brown, foul-smelling water coming out of their taps for several years and testing has shown elevated levels of ammonia and phosphorus in drinking water, both indicators of manure.

For three decades Maureen Muldoon, an associate professor of hydrogeology and environmental geology at the University of Wisconsin-Oshkosh and a member of the Wisconsin Karst Task Force, and Mark Borchardt, a microbiologist with the U.S. Dairy Forage Research Center, have studied...
the groundwater of the Door peninsula. Their research, examining pathogen levels in the wells of ten Kewaunee County homes, found all ten wells testing positive for pathogens. Three of the ten wells showed cattle manure pathogens, three human waste pathogens, and the other four contained unidentifiable pathogens. There is no doubt of the importance of studies such as this in scientifically documenting the extent of contaminated groundwater in Kewaunee County and how contaminated groundwater puts people’s health and lives at risk.

During January, the DNR hosted two online listening sessions to obtain input from the public as part of the process for approving amendments to Kinnard Farms’ five-year wastewater permit. Permit documents, including the proposed permit and fact sheet, can be found at the following link: https://dnr.wisconsin.gov/topic/Wastewater/PublicNotices.html.

During these listening sessions, every local and state resident who testified spoke eloquently and passionately in opposition to the impact expansion would have on groundwater and surface water in the area. Speakers also emphasized the July 2021 Wisconsin Supreme Court ruling that strengthened the DNR’s permit approval/denial powers. Specifically, the DNR has explicit authority to put conditions on the wastewater permits for dairy farms. The decision also determined that the DNR could limit the number of animal units at dairy farms and require groundwater monitoring because of the agency’s responsibility to limit the release of manure into waterways.

While the new permit would also require Kinnard Farms to monitor groundwater beneath the fields where the manure is spread, the permit would require that the dairy farm monitor the groundwater beneath only a single field, using three separate wells, and the farm would be able to create its own monitoring plan and submit it to the DNR for approval. The permit would expire Jan. 31, 2023, at which time the farm would be required to go through the permitting process again.

Why is the DNR not more concerned about our health and the Kewaunee County environment? The mission of the DNR is “To protect and enhance our natural resources, our air, land, and water, our wildlife, fish, and forests, and the ecosystems that sustain all life.” How can the DNR stand by knowing that Kinnard Farms is polluting the aquifer and contaminating wells in Kewaunee County and likely Door County? Our DNR has the authority and the power and it’s time to protect our water and our residents!

By Michael Bahrke

Black-capped chickadee    Photo by Mike Bahrke
New Bill Will Change Control Over Environmental Regulation

What happens when you apply the biological definitions of “investment” and “exploitation” to economics?

Wisconsin lawmakers are considering a bill that would allow individuals, businesses, or members of the Legislature’s rules committee to use external “peer review” panels to halt or alter proposed administrative rules and block state scientists from even recommending health-based groundwater standards for pollutants.

Tony Wilkin Gibart, executive director of Midwest Environmental Advocates, said the bill would “hand over control of the adoption of public health and water protection to polluters.”

“We all know that polluters and industry groups ... have been masters of creating phony science to raise doubts and stall public health protections,” Gibart said. “This bill invites industry-influenced research to dictate whether Wisconsinites will have their air and water protected.”

This legislation would give industry groups and politicians more control over environmental protection.

“I don’t think this bill will do anything to advance good science in public policy,” said Fred Clark, a former DNR forester and state lawmaker who now heads Wisconsin’s Green Fire. “It’s not as much about transparency as it is about not trusting the scientists in state government.”

In summary I ask, are we laying a strong foundation of environmental protection or allowing an erosion of the checks and balances counted on to protect our common wealth?

By Emeil Marks

Adapted from an article by Chris Hubbuch from the Wisconsin State Journal.


Frost

Photo by Mike Bahrke
Mariners Park Unrealized

Just over three years ago, at a Town of Liberty Grove meeting, Town Chairman John Lowry proposed the purchase of the Mariners Park property for just under $1.5 million. However, prior to the vote of assembled town residents, Chairman Lowry made two very significant declarations: 1) The property, if purchased, would be a “blank slate” and 2) “The people would decide the use of the property.” With those assurances, the residents voted in favor of the land purchase.

In spring of 2019, the Town undertook a survey to determine the taxpayer’s desires for the property. The Town designed, implemented, and tallied the results of the survey. The Town Board declared the survey results accurate. The top four choices of the 644 survey respondents were:

1) Public park with walking paths and benches
2) Refurbished existing docks for public use
3) A pavilion for public use (small)
4) A safe harbor with a launch ramp only

Apparentlv, Chairman Lowry and the Board did not accept the survey results as the peoples’ choices because little has been accomplished since then. Instead, an ad hoc committee, chaired by a Board member, was appointed, and met for over a year without developing a comprehensive plan for the park. They did, however, create a temporary parking area, but omitted a park sign. People don’t even know the park exists!

Citizens, in a constructive effort, had previously presented a conceptual park plan to the Town and the Property and Parks Committee. The plan was prepared by a professional landscape architect, incorporating each of the top survey recommendations and more. The Property and Parks Committee never considered the plan, and the ad hoc committee rejected it in its entirety. So much for the people deciding the features and uses of the property! It appears the board, not the voters, will decide the park’s fate. However, voters control the Town’s purse strings and they have the power to approve, or reject the Town’s annual budget. Perhaps it’s time for voters to tighten the purse strings until the Town Chairman and Board keep their promises to the voters?

By Mike Bahrke

Sunset reflection      Photo by Mike Bahrke
Forestville Millpond
Drawdown: Where’s the Accountability?

“… The legislative declared policy of the state in Chapter 92 is to halt and reverse the depletion of the State’s soil resources and pollution of its waters…”

-Excerpt from the Door County Soil and Water Conservation Department (SWCD) Mission Statement

Door County officials did not take corrective action when they were repeatedly told that their drawdown plan for the Forestville Millpond was not working, and there were serious concerns about downstream sediment deposits. During the drawdown, following numerous rain events, and despite the relief valve being nearly fully opened, water overflowed the dam no fewer than a dozen times, and on other occasions the water level neared the top of the dam, again flooding most of the pond’s 94 acres.

When informed about the continuing deposition of polluted sediment downstream from the dam that were clearly visible from Mill Road, and when “islands of sediment” began emerging from the water, no action was taken to remedy the situation. Unfortunately, the “sediment bars” (see attached photo) that were created effectively destroyed the most scenic stretches of the Ahnapee River downstream from the dam, infuriating fishermen from within and outside the state who once considered the river their favorite fishing location. Where’s the accountability?

The Executive Summary of the 2018 Millpond Report states: “…the primary driver of pollutants loading comes from agricultural sources.” The report also reveals that nearly 90% of the cropland in the watershed is subject to a Nutrient Management Plan (NMP). According to internal discussions within the SWCD, approximately 50% would be a more realistic amount.

In the January 2022 Door County Board of Supervisors Agenda Packet, Resolution No. 2022-05 states that a total of $7,079,799 Targeted Runoff Management (TRM) grant money has been awarded since 2003. A TRM grant is a competitive financial award to be used in protecting water quality and to control polluted runoff. This is a significant amount of money (!), and it begs the question: How do we measure success after spending so much public money? Do the dollars spent equate to success? Where’s the accountability?

Southern Door County has the same Karst topography as Kewaunee County and it is well documented (no pun intended) that the primary source of drinking water pollution is agricultural runoff. In response, Door County has begun a program whereby property owners can have their wells tested—if they pay for it. While this is often described as a preventative program, it is NOT a
preventative program and is only a tool to indicate how one’s well water quality compares to unacceptable levels. In other words, the “polluted” have to pay to find out how far the “polluters” can go! This is not a vague concern, as nearly 50% of Kinnard Farms’ (a Kewaunee County-based Concentrated Animal Feeding Operation or CAFO) 7,722 acres is under a NMP. In Southern Door County, S&S Jerseyland Dairy (the only Southern Door County CAFO) has approximately 8,800 acres under a NMP.

Will we never learn from the well-documented mistakes that have caused one third of the Kewaunee County wells to fail acceptable drinking water standards? Where’s the accountability?

By Robert Sijgers

The following link provides additional information regarding the magnitude of the ongoing pollution which, in turn, affects well water quality in a Karst region:

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**Back Forty Mine Update**

The Back Forty Mine proposal is a concept that threatens the vital and pristine wetlands along the beautiful Menominee River which borders Wisconsin and Upper Michigan. The threat would come from excavating the sulfide ores which contain precious metals like gold and silver. Sulfide ores, when mixed with water from rain, snow, a river, or a wetland, creates sulfuric acids that dissolve rock and kill living things. The process of separating the metal from ore often involves the use of a poisonous chemical called cyanide (thousands of pounds of it). The resulting cocktail of toxins is called acid mine drainage (AMD). For almost two decades a battle between Aquila Resources, Inc. and the Menominee Tribe of Wisconsin, Environmental Coalitions and Concerned Citizens has been raging. The mining operation’s AMD has a strong potential to pollute the surrounding wetlands, the river ecology, Green Bay, and the Great Lakes for centuries.

This update is a summary from the website at back40film.com.

**Midsummer 2021**

Aquila Resources has spent 17 years and $100 million to try to develop the Back Forty open pit mine. The proposed Back Forty Mine would be located very close the banks of the Menominee River and include almost 2,000 acres of sensitive wetlands. The land surrounding the river is the ancestral home of the Menominee Indian tribe who lived there for thousands of years before they were removed to a reservation in Wisconsin. Persistent legal opposition from the Coalition to SAVE the Menominee and the Menominee Indian Tribe of Wisconsin has kept the Back Forty Mine on hold.
After strong opposition, Aquila Resources, Inc. withdrew their permits on May 11, 2021 and retreated back to their drawing boards to propose a different mine concept, one that would have less impact on the environment and therefore have a better chance of obtaining the necessary mining permits. Their working capital at the time was a negative $2.5 million.

August 2021
An interested company, a subsidiary of Osisko Gold Royalties, Ltd. of Montreal, Quebec agreed to release $2.4 million to Aquila Resources to support their new approach for the new mine project. They expect their feasibility study to be completed by the end of 2021. At that time, they planned to reapply for new mining permits to the Michigan Department of Environment, Great Lakes and Energy (EGLE). Osisko’s total financial commitment to Aquila would be $55 million. However, a number of requirements would have to be achieved by Aquila before the money would be released.

September 2021
On September 7, 2021, another interested company, Gold Resource Corporation (GRC) of Denver, Colorado, announced their plan to take ownership of Aquila Resources, Inc. and its rights to the Back Forty Mine. The purchase would include acquiring all outstanding shares of Aquila for C$3.9 million (Canadian dollars) worth of GRC stock. The current Aquila stockholders would then own 14.9% of GRC stock.

If the deal closed, GRC would have an improved position in the New York Stock Exchange. Currently, GRC is at a disadvantage in the stock market because it only has one active working mine in Oaxaca, Mexico. Having a second mine (the Back Forty) would make GRC more competitive in the stock market, having more assets to borrow against, and have more potential profitability for prospective shareholders. The Mexican government jurisdiction over mining rights is far more difficult to navigate and more unpredictable than having a mine in Upper Michigan. Of course, the Back Forty Mine would only be valuable if it can secure the permits necessary to actually construct the mine. GRC is confident that it will get those needed permits.

Allen Palmiere, President and CEO of GRC, while commenting on the previous Back Forty Mine permitting risks said, “Our diligence gives us comfort that Michigan is a good jurisdiction for mining and that the permitting issues are all eminently resolvable.” Palmiere believes that Upper Michigan is very supportive of mining and “it’s an area that is looking for economic development, and resource development is a pretty low-hanging fruit for them.”

Dale Burie, of the Coalition to SAVE the Menominee, noted that “although Aquila Resources has decided to take this opportunity to offer themselves to Gold Resources, this does not change the complexion of the threat to the Menominee River. Be assured that this battle has gone on for 20 years and will continue to go on until these speculative mining organizations give up on ever getting close to the Menominee River.”

October 2021
According to CEO Allen Palmiere, Gold Resources Corp. (Stock symbol: GORO) believes the construction of the proposed Back Forty Mine could start in a couple of years if all necessary permit applications are received and granted. Earlier in the
year, a Michigan administrative law judge overturned Aquila’s “wetland permit” because Aquila failed to submit the necessary information explaining the potential wetland impacts, information that could then be evaluated by the public and by the permitting agency, the Michigan Department of EGLE. Palmiere characterized the court’s reversed decision as a “technicality.” GRC would begin with a feasibility study to be completed by mid-2022. Permit applications would follow. Palmiere then said that GORO expects to have all permits granted by the end of 2023 with mine construction to begin in early 2024. However, he acknowledged that future legal challenges to the permitting could delay that timeline.

December 2021

GRC purchased Aquila Resources, Inc. for $24 million on December 10, 2021. In a presentation to prospective investors, CEO Allen Palmiere, explained the corporation’s current plan for the Back Forty Mine. GRC plans to downsize the proposed open pit concept with one or more, relatively smaller pits and rely on extensive underground mining as part of their tentative plan. Aquila’s original plan for the Back Forty project would have disturbed 26+ acres of wetlands. Palmiere said, “Our new plan is only going to disturb 1/3 of 1 acre. This revised project plan may be easier to permit and be easier on the environment.” He also said that GRC may dry-stack tailings from the Back Forty processing mill instead of constructing a tailings basin as originally proposed. Dry-stack tailings are de-watered processed ore wastes and can be deposited in piles without a tailings dam. This is GRC’s method in their Mexico mine. Tailing dam failures are one of the primary hazards of mineral mining operations.

All of GRC’s permit applications could be submitted as early as summer of 2022 with mining operations possibly beginning mid to late 2025. The mine is estimated to be worth at least $250 million with significant expansion potential. There still is much more to be explored GRC said, once they start excavating. If more minerals are found, it could increase the life of the mine much longer than its current ten year lease. The area can be leased for another ten years if there are more minerals to be mined. The projected Back Forty estimated “throughput” would be approximately 3,000 tons of sulfide ore per day.

Currently

The Michigan Department of Environment, Great Lakes and Energy has issued a new lease to GRC for the use of 1,988 acres of state-owned land at the site of the proposed Back Forty Mine, despite much opposition from the public.

Looking Forward

MANY questions will need to be addressed. With a new company and a new plan the Back Forty Mine proposal starts again from scratch, those on both sides display confidence that their side will prevail. The stakes couldn’t be higher for Mother Earth. The mouth of the Menominee River (a MAJOR tributary of the Great Lakes) is only 20 miles from the waters of Egg Harbor and Door County. Please help support the efforts to SAVE this sensitive Great Lake resource from IRREVERSIBLE DESTRUCTION!

By Paul Leline

For more information visit: back40film.com
To donate, visit the “Coalition to SAVE the Menominee” at jointherivercoalition.org
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