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TO: Bayfield County Large-Scale Livestock Study Committee

FROM: Attorney Glenn M. Stoddard 

RE: ATTACHED "FARMS NOT FACTORIES" PROPOSED
BAYFIELD COUNTY LARGE-SCALE CONFINED ANIMAL
FEEDING OPERATIONS ORDINANCE

DATE: August 11, 2013

Thank you for the opportunity to speak to you at your meeting on August 13, 2015, concerning the attached proposed "Bayfield County Large-Scale Confined Animal Feeding Operations Ordinance" ("Proposed CAFO Operations Ordinance"), which I have drafted on behalf of "Farms Not Factories"-- a citizens group based in Bayfield County which is concerned about the proposed Badgerwood, LLC swine operation and other similar operations that may be proposed in the future.

The attached Proposed CAFO Operations Ordinance has been drafted to assist the Committee and the full Bayfield County Board, in developing what "Farms Not Factories" hopes will be a more effective and efficient means of regulating the potential adverse impacts of large-scale Confined Animal Feeding Operations ("CAFOs") than is currently in place in Bayfield County.

The attached Proposed CAFO Operations Ordinance is largely self-explanatory, and the legal authority for it is laid out in the "Whereas" clauses and in Sec. 5-6-1.

The legal authority for the Proposed CAFO Operations Ordinance is expressly set forth under Wis. Stats. §§ 59.03(2), 59.70(1), 254.51(5) & 254.59(7). However, the following appellate court decisions also provide additional support for the proposed ordinance:

Adams v. Wis. Livestock Facilities Siting Review Bd., 2012 WI 85, 342 Wis. 2d 444, 820 N.W.2d 404 (making clear that political subdivisions are not without recourse against polluters, retain the legal authority to bring nuisance abatement actions against polluting farms, and retain the ability to regulate livestock facility operations, notwithstanding limitations on regulating siting under Wis. Stat. § 93.90 and Wis. Admin. Code Ch. ATPC 51);

Zwiefelhofer v. Town of Cooks Valley, 2012 WI 7, 338 Wis. 2d 488, 809 N.W.2d 362 (upholding a town nonmetallic mining ordinance as a valid, non-zoning ordinance adopted under the town's police power, to ensure that nonmetallic mines are operated "in the best interests of the citizens of the Town, and will be consistent with protection of public health, safety and general welfare," no matter where in the town they are located);

Town of Rhine v. Bizzell, 2008 WI 76, 311 Wis. 2d 1, 751 N.W.2d 780 (recognizing that the term "public nuisance" may be defined differently under a local ordinance than under the common law); and

Nickels v. Burnett, 343 Ill. App. 3d 654, 278 Ill. Dec. 433, 798 N.E.2d 817 (Ill. App. 2003) (Illinois case upholding preliminary injunction against development of proposed 8,000 head hog operation in action alleging public and private nuisance under both statutory and common law, based on plaintiffs' uncontroverted presentation of "extensive evidence of the potential harms to their health and to the values of their lands should the hog facility begin to operate").

In addition, Wis. Stat. § 293.50, commonly referred to as Wisconsin's "Mining Moratorium Law," provides a statutory basis for the definition of "Pollution" under Sec. 5-6-3(d), and the provisions set forth under Secs. 5-6-4(e) & 5-6-5(h), of the Proposed CAFO Operations Ordinance.

It is my opinion that the attached Proposed CAFO Operations Ordinance is a reasonable and legally defensible ordinance under current Wisconsin law. It does not prohibit CAFOs or unreasonably regulate them on its face. However, it would give Bayfield County the authority to effectively, efficiently, and comprehensively regulate the *operations* of CAFOs of 1,000 animal units or greater--without respect to *siting*--to protect public health (including human and animal health), safety, and general welfare, to prevent pollution and the creation of private nuisances and public nuisances, and to preserve the quality of life, environment, and existing small-scale livestock and other agricultural operations of Bayfield County.

Finally, on behalf of "Farms Not Factories," I would be willing to consult further with this Committee, the full County Board, and with Bayfield County Corporation Counsel, Linda I. Coleman, to discuss this proposal with the goal of developing a proposed ordinance for consideration by the Bayfield County Board before the current moratorium expires.

Thank you for your consideration.

Attachment

“FARMS NOT FACTORIES” PROPOSED

No. 2015-__

BAYFIELD COUNTY LARGE-SCALE

CONFINED ANIMAL FEEDING OPERATIONS ORDINANCE

WHEREAS, regardless of where they are sited, the ongoing *operations* of large-scale Confined Animal Feeding Operations (“CAFOs”) have a well-documented record of causing significant adverse impacts to public health (including human and animal health), safety, and general welfare, including adverse environmental, economic, and quality of life impacts that often cause serious public and private nuisances; and

WHEREAS, in the Town of Lincoln, in Kewaunee County, Wisconsin, where numerous CAFOS have been operating for several years under regulation by the Wisconsin Department of Natural Resources (“DNR”) and the Wisconsin Department of Agriculture, Trade and Consumer Protection (“DATCP”), “[t]he proliferation of contaminated wells” has been formally recognized as “a massive regulatory failure to protect groundwater,” in an October 29, 2014 decision by Administrative Law Judge, Jeffrey D. Boldt, of the State of Wisconsin Division of Hearings and Appeals, in the case of *In the Matter of the Wisconsin Pollutant Discharge Elimination System Permit No. WI-005936-03-0 (WPDES Permit) Issue to Kinnard Farms, Inc., Town of Lincoln, Kewaunee, County*; Case No.: IH-12-071, at 13; and

WHEREAS, Bayfield County residents and property owners have expressed concerns about the importance of protecting public health, safety, and general welfare, preventing public and private nuisances, and preserving the quality of life, environment, and existing small-scale livestock and other agricultural operations of Bayfield County, in regulating both the *operations* and *siting* of CAFOs in Bayfield County;

WHEREAS, on January 27, 2015, the Bayfield County Board of Supervisors enacted Chapter 2 “Livestock Facilities Licensing Ordinance” of Title 5 [Public Safety] of the Code of Ordinances, Bayfield County, Wisconsin (hereinafter “Livestock Facilities Licensing Ordinance”), pursuant to the powers granted under the Wisconsin Constitution and Wisconsin Statutes, including but not limited to Wis. Stat. § 93.90 (“Livestock Siting Law”), and Wis. Admin. Code Ch. ATCP 51; and

WHEREAS, the Livestock Facilities Licensing Ordinance was enacted pursuant to Wis. Stat. § 93.90, and Wis. Admin. Code Ch. ATCP 51, to establish standards and procedures for licensing the *siting* of new and expanded livestock facilities, to protect the public health and safety of the people of Bayfield County; and

WHEREAS, on February 18, 2015, the Bayfield County Board of Supervisors enacted Chapter 4 “Moratorium on Livestock Facilities Licensing” under Title 5 “Public Safety” for a duration of twelve (12) months (with a possible extension of up to 6 more

months), pursuant to Wis. Stat. § 59.03(2), to provide adequate time to determine whether amendments to the Livestock Facilities Licensing Ordinance or creation another ordinance is necessary to adequately protect public health and safety, and determine whether adequate resources exist to enforce any new or existing livestock facilities ordinances; and

WHEREAS, pursuant to Wis. Stat. § 59.03(2), the Bayfield County Board of Supervisors “is vested with all powers of a local, legislative and administrative character, including without limitation because of enumeration, the subject matter of water, sewers, streets and highways, fire, police, and health, and to carry out these powers in districts which it may create for different purposes, or throughout the county....” Wis. Stat. § 59.03(2); and

WHEREAS, pursuant to Wis. Stat. § 59.70(1), Bayfield County has authority to “enact building and sanitary codes, make necessary rules and regulations in relation thereto and provide enforcement of the codes, rules and regulations by forfeiture or otherwise”; and

WHEREAS, pursuant to Wis. Stat. § 92.15, Wis. Admin. Code § ATP 50.60(1), and Wis. Admin. Code § NR 151.096(3), Bayfield County has authority to issue individual permits that require livestock facilities to comply with uncoded conservation or water quality protection standards that may exceed state standards, without prior review and approval by DATCP or DNR, provided such permit requirements or standards are not routinely applied as *de facto* regulatory enactments; and

WHEREAS, although Wis. Stat. § 93.90, and Wis. Admin. Code Ch. ATP 51, impose limitations on Bayfield County’s authority to restrict the *siting* of livestock facilities of over 500 animal units, these laws do not limit or withdraw Bayfield County’s authority to regulate the ongoing *operations* of such facilities to prevent pollution, protect public health, safety, and general welfare, and prevent or abate nuisances which may be caused by livestock facilities, and this was expressly recognized in *Adams v. Wis. Livestock Facilities Siting Review Bd.*, 2012 WI 85, ¶ 65 n. 30 & ¶¶ 75, 83-84, 342 Wis. 2d 444, 820 N.W.2d 404; and

WHEREAS, in *Adams v. Wis. Livestock Facilities Siting Review Bd.*, a majority of the Wisconsin Supreme Court stated that:

Our decision does not leave political subdivisions without recourse against polluters. Most importantly, political subdivisions retain the authority to bring nuisance abatement actions against polluting farms. *See* Wis. Stat. § 823.01. More generally, this decision does not speak to political subdivisions’ ability to regulate livestock facility *operations*. It simply says that the legislature has forbidden them from regulating livestock facility *siting* except as permitted by the Siting Law.

Id., 2012 WI 85, ¶ 65 n. 30; and

WHEREAS, pursuant to Wis. Stat. § 254.51(5), Bayfield County has authority to enact “ordinances that set forth requirements for animal-borne and vector-borne disease control to assure a safe level of sanitation, human health hazard control or health protection for the community”; and

WHEREAS, pursuant to Wis. Stat. § 254.59(7), Bayfield County has authority to “enact an ordinance concerning abatement or removal” of human health hazards that is “at least as restrictive as” Wis. Stat. § 254.59, which may be enforced in Bayfield County; and

WHEREAS, in addition to the Livestock Facilities Licensing Ordinance enacted on January 27, 2015, it is in the best interests of the County of Bayfield to enact a separate ordinance, to more effectively, efficiently, and comprehensively regulate the *operations* of large-scale CAFOs of 1,000 animal units or greater, regardless of where they may be sited, to adequately protect public health (including human and animal health), safety, and general welfare, and to prevent public and private nuisances, and preserve the quality of life, environment, and existing small-scale livestock and other agricultural operations of Bayfield County; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield that the Code of Ordinances, Bayfield County, Wisconsin, be further modified and amended in the manner set forth.

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

Section 1. Chapter 6 [Large-Scale Confined Animal Feeding Operations Ordinance] of Title 5 [Public Safety] of the Code of Ordinances, Bayfield County, Wisconsin is hereby created to read as follows:

Chapter 6 Large-Scale Confined Animal Feeding Operations Ordinance

Sec. 5-6-1 Authority

This ordinance is adopted pursuant to the powers granted under the Wisconsin Constitution and the Wisconsin Statutes, including but not limited to Wis. Stats. §§ 59.03(2), 59.70(1), 254.51(5) & 254.59(7).

Sec. 5-6-2 Title and Purpose

The title of this ordinance is the Large-Scale Confined Animal Feeding Operations Ordinance.

The purpose of this ordinance is to effectively, efficiently, and comprehensively regulate the *operations* of Large-Scale Confined Animal Feeding Operations of 1,000 animal units or greater (“CAFOs”), without respect to siting, to protect public health

(including human and animal health), safety, and general welfare, to prevent pollution and the creation of private nuisances and public nuisances, and to preserve the quality of life, environment, and existing small-scale livestock and other agricultural operations of Bayfield County ("the County").

Sec. 5-6-3 Definitions

- (a) All definitions located in Section 5-2-3 of the Bayfield County Code of Ordinances are hereby adopted and incorporated by reference as if set forth herein.
- (b) "Large-Scale Confined Animal Feeding Operation" or "CAFO" means a lot or facility, other than a pasture or grazing area, where 1,000 or more animal units have been, are or will be stabled or confined, and will be fed or maintained by the same owner(s), manager(s) or operator(s) for a total of 45 days or more in any 12-month period. Two or more smaller lots or facilities under common ownership or common management or operation are a single Large-Scale Confined Animal Feeding Operation or CAFO if the total number of animals stabled or confined at the lots or facilities equal 1,000 or more animal units and at least one of the following is true: (1) The operations are adjacent; (2) The operations utilize common systems for the land spreading of manure or other wastes; (3) Animals are transferred between the lots or facilities; (4) The lots or facilities share staff, vehicles, or equipment; or (3) Manure, barnyard runoff or other wastes are commingled in a common storage facility at any time.
- (c) "Operations" means a course of procedure or productive activity for purposes of conducting and carrying on the business of a "Large-Scale Confined Animal Feeding Operation" or "CAFO," including populating animal housing facilities, storing and managing animal and other waste materials, and conducting any other business activities.
- (d) "Pollution" means degradation that results in any violation of any environmental law as determined by an administrative proceeding, civil action, criminal action or other legal proceeding. For the purpose of this paragraph, issuance of an order or acceptance of an agreement requiring corrective action or a stipulated fine, forfeiture or other penalty is considered a determination of a violation, regardless of whether there is a finding or admission of liability.
- (e) "Private nuisance" means a nontrespassory invasion of another's interest in the private use and enjoyment of land, and the invasion is either: (1) Intentional and unreasonable, or (2) Unintentional and otherwise actionable under the rules controlling liability for negligent or reckless conduct, or for abnormally dangerous conditions or activities.
- (f) "Public nuisance" means a thing, act, occupation, condition or use of property which shall continue for such length of time as to: (1) Substantially annoy, injure

or endanger the comfort, health, repose or safety of the public; (2) In any way render the public insecure in life, health or in the use of property; or (3) Unreasonably and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage or public use any street, alley, highway, navigable body of water or other public way or the use of public property or other public rights.

- (g) “Siting” means determination of the place where the structures and other physical facilities associated with development of a “Large-Scale Confined Animal Feeding Operation” or “CAFO” may be located, pursuant to Chapter 2 “Livestock Facilities Licensing Ordinance” of Title 5 [Public Safety] of the Code of Ordinances, Bayfield County, Wisconsin, Wis. Stat. § 93.90, and Wis. Admin. Code Ch. ATPC 51.

Sec. 5-6-4 Large-Scale Confined Animal Feeding Operations or CAFOs

(a) Regardless of siting, a Large-Scale Confined Animal Feeding Operation or CAFO shall be allowed to conduct operations within the County only as provided for under this ordinance.

(b) The applicant shall apply for a “CAFO Operations Permit” prior to conducting any operations associated with a Large-Scale Confined Animal Feeding Operation or CAFO within the County. The application shall be submitted on a form provided to the applicant by the County Clerk, a copy of which is attached hereto as Appendix A.

(c) The Bayfield County Board of Supervisors (“County Board”) shall decide whether or not to approve and issue a CAFO Operations Permit to an applicant that has submitted a complete application and paid the required application fee, after holding a public hearing on the application and considering any evidence concerning the application and the proposed CAFO presented by the applicant and any other interested persons or parties, including members of the public and other governmental agencies or entities, and special legal counsel and expert consultants who may be hired by the County to review the application and advise the County Board.

(d) The County Board shall approve and issue a CAFO Operations Permit, either with or without conditions, only if it determines by a majority vote, supported by clear and convincing evidence presented by the applicant, that the operations of the proposed CAFO, with or without conditions, will protect public health (including human and animal health), safety, and general welfare, prevent pollution and the creation of private nuisances and public nuisances, and preserve the quality of life, environment, and existing small-scale livestock and other agricultural operations of the County.

(e) The County Board may not issue a CAFO Operations Permit, with or without conditions, to an applicant unless it determines, based on information provided by the applicant and verified by the County, that a CAFO of the same or larger size, housing the same species of animals, and utilizing similar operations, 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.

(f) A CAFO Operations Permit approved by the County Board shall be void if the permittee violates any conditions of the permit or any conditions of any other required Federal, State or County permits or licenses, at any time.

Sec. 5-6-5 Procedures

(a) An applicant for a CAFO Operations Permit shall complete a Bayfield County CAFO Operations Permit Application (Appendix A) and pay the required application fee of one dollar (\$1.00) per proposed animal unit to Bayfield County, at the time the application is submitted to the County Clerk.

(b) Upon signing and submitting a CAFO Operations Permit Application to the County Clerk, the applicant shall agree to fully compensate the County for all legal services, expert consulting services, and other expenses which may be reasonably incurred by the County in reviewing and considering the application, regardless of whether or not the application for a permit is subsequently approved, with or without conditions, or denied by the County Board.

(c) After receiving the application and the application fee, the County Clerk shall mail a notice, that a CAFO Operations Permit Application has been received, to local media and all adjoining landowners of the proposed CAFO, with the date and time of the next County Board meeting. The notice shall provide information on how interested persons and parties may inspect and obtain a copy of the application.

(d) The County Clerk shall then place the application on the agenda for the next County Board meeting, at which time the County Board shall conduct an initial review of the application and schedule further proceedings for review and consideration of the application by the County Board. Such proceedings shall include: (a) Developing a plan for hiring special legal counsel and expert consultants to review the application and advise the County Board; (b) Developing a plan to make a determination of the completeness of the application; (c) Developing a plan to schedule further proceedings, including scheduling a formal public hearing before the County Board on the application at least sixty (60) days after the application has been determined to be complete by the County Board, and scheduling a subsequent special open meeting of the County Board to decide whether or not to grant the requested permit and what, if any, conditions shall be required if the requested permit is granted.

(e) At the formal public hearing held by the County Board on the application at least sixty (60) days after it has been determined to be complete, the County Board shall consider any evidence concerning the application and the proposed CAFO presented by the applicant and any other interested persons or parties, including members of the public and other governmental agencies or entities, and special legal counsel and expert

consultants who may be hired by the County to review the application and advise the County Board.

(f) In its review and consideration of a CAFO Operations Permit Application, the County Board shall act in a quasi-judicial capacity, and its final decision on whether or not to approve and issue a CAFO Operations Permit, either with or without conditions, shall be based on written findings of fact and conclusions of law consistent with the provisions of this ordinance, which shall be filed with the County Clerk and served on the applicant by regular U.S. Mail.

(g) The County Board may approve and issue a CAFO Operations Permit, either with or without conditions, if it determines by a majority vote, supported by clear and convincing evidence presented by the applicant, that the operations of the proposed CAFO, with or without conditions, will protect public health (including human and animal health), safety, and general welfare, prevent pollution and the creation of private nuisances and public nuisances, and preserve the quality of life, environment, and existing small-scale livestock and other agricultural operations of the County.

(h) The County Board may not issue a CAFO Operations Permit, with or without conditions, to an applicant unless it determines, based on information provided by the applicant and verified by the County, that a CAFO of the same or larger size, housing the same species of animals, and utilizing similar operations, 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

(i) The County Board may conditionally approve a CAFO Operations Permit and attach conditions to protect public health (including human and animal health), safety, and general welfare, prevent pollution and the creation of private nuisances and public nuisances, and preserve the quality of life, environment, and existing small-scale livestock and other agricultural operations of the County. Such conditions may include, but are not limited to:

1. Conditions relating to the number of animal units that may be managed and maintained as part of a CAFO's ongoing operations, to protect public health, prevent pollution, and prevent private nuisances and public nuisances;

2. Conditions relating to the management of animal and other waste that may be generated as part of a CAFO's ongoing operations, to protect public health, prevent pollution, and prevent private nuisances and public nuisances;

3. Conditions relating to the population and depopulation of individual animal housing facilities, to protect public health and prevent the spread of animal-borne and vector-borne disease, to assure a safe level of sanitation, and to assure human health hazard control or health protection for the community;

4. Conditions relating to biosecurity and the maintenance of animal health and welfare, to prevent the spread of animal-borne and vector-borne disease, to protect public health, and provide for animal safety and welfare;

5. Conditions relating to transportation of animals as part of a CAFO's ongoing operations, to protect public health, prevent pollution, and prevent private nuisances and public nuisances;

6. Conditions relating to protection of private and public drinking and agricultural wells, and other public water supplies, as part of a CAFO's ongoing operations to protect public health, prevent pollution, and prevent private nuisances and public nuisances;

7. Conditions relating to air emissions and dust control as part of a CAFO's ongoing operations, to protect public health, prevent pollution, and prevent private nuisances and public nuisances;

8. Conditions relating to protection of the private and public property rights and property values of affected property owners, as part of a CAFO's ongoing operations, to protect the general welfare of the County's residents and property owners, and to prevent private nuisances and public nuisances;

9. Conditions relating to permit compliance, enforcement, and monitoring, including establishment of fees that may be assessed against the permittee to cover the costs of hiring, training, and maintaining County personnel, or for contracting with private consultants, to conduct permit compliance, enforcement and monitoring activities for the County;

10. Conditions relating to financial security, insurance, and bonding requirements to ensure that sufficient funds will be available for pollution clean-up, nuisance abatement, and proper closure of a CAFO if it is abandoned or otherwise ceases to operate as planned and permitted; and

11. Any other conditions deemed reasonably necessary or appropriate by the County Board to effectively, efficiently, and comprehensively regulate the *operations* of a CAFO, to protect public health (including human and animal health), safety, and general welfare, prevent pollution and the creation of private nuisances and public nuisances, and preserve the quality of life, environment, and existing small-scale livestock and other agricultural operations of the County.

(j) An applicant or any other person or party who is aggrieved by a final decision of the County Board on whether or not to approve and issue a CAFO Operations Permit, either with or without conditions, or a taxpayer, or any officer, department, board or bureau of the County, may, within thirty (30) days after the filing of the decision with the County Clerk, commence an action seeking the remedy available by certiorari in the Bayfield County Circuit Court. The court shall not stay the decision appealed from, but

may, with notice to the County Board, grant a restraining order. The County Board shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof. If necessary for the proper disposition of the matter, the court may take evidence, or appoint a referee to take evidence and report findings of fact and conclusions of law as it directs, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify, the decision brought up for review.

(k) In any certiorari proceeding brought under the preceding paragraph, attorney fees and costs shall not be allowed against the County Board unless it shall appear to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from.

(l) A final decision of the County Board under this ordinance is not subject to appeal under Wis. Stat. 93.90(5) or the provisions of Chapter 2 "Livestock Facilities Licensing Ordinance" of Title 5 [Public Safety] of the Code of Ordinances, Bayfield County, Wisconsin, Wis. Stat. § 93.90, and Wis. Admin. Code Ch. ATCP 51, which apply only to *siting* decisions.

Sec. 5-6-6 Permit Term & Extensions

(a) A permit issued by the County Board under this ordinance shall be for an initial term of five (5) years. Thereafter, if no substantial changes or modifications are proposed to the CAFO operations and there have been no permit violations or compliance problems a permittee may apply for extension of the same permit for additional five (5) year periods.

Sec. 5-6-7 Penalties

(a) Any violation of this ordinance shall be punishable by a forfeiture of not less than \$100.00 or more than \$5,000.00 per day for every day of violation of this ordinance, plus the costs of prosecution, including the County's reasonable attorney fees and costs, for each and every violation.

(b) Each day of violation shall constitute a separate offense. In addition, the County Board may: (1) issue a notice of violation and order that specifies required remedial action, which may include a stop operations and work order; (2) suspend or revoke the permit; or (3) impose any other available enforcement remedy.

Section 2. Except as specifically modified and amended by this ordinance, the Bayfield County Code of Ordinances shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 3. SEVERABILITY. If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance, unconstitutional or invalid, the

remainder of this ordinance shall remain in full force and effect and shall not be affected thereby. In addition, if a court of competent jurisdiction adjudges any section, clause, provision, condition, or portion of any CAFO Operations Permit approved and issued by the County Board, pursuant to this ordinance, unconstitutional or invalid, the remainder of the CAFO Operations Permit shall remain in full force and effect and shall not be affected thereby.

Section 4. EFFECTIVE DATE. This ordinance shall take effect and be in full force from the date of its passage by the County Board.

APPENDIX A

CAFO OPERATIONS PERMIT APPLICATION

(To be Drafted)