

Comments on Supreme Beef water withdrawal permit renewal
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Re:
Request to renew water withdrawal permit for Supreme Beef LLC
Log # 31772

My name is Larry Stone.
I live near Elkader in Clayton County.

I am opposed to the renewal of the water withdrawal permit for Supreme Beef LLC, formerly known as Walz Energy, for several reasons.

First, the applicant has requested renewal of the permit issued in 2017 with no changes. Yet, the 2017 permit specifies water to be used for 10,000 cattle, while Supreme Beef LLC now proposes having 11,600 cattle at their facility. No changes? A 16% increase in the number of cattle is no change?

Also, the original permit calculated water use as 6 gallons per head per day. (Later calculations from Supreme Beef LLC slightly increased those estimates to 6.5 or 7.2 gallons per day.) However, animal scientists in the industry generally agree that cattle need at least 10 gallons per head per day, and often 20 gallons during hot weather.

With more cattle and the reality of them drinking more, it's likely that the water use could be double the 22 million gallons per year listed in the permit. Double the water use is no change?

It also should be noted that W-6 Farms, which has an existing building for about 700 cattle on the Supreme Beef site, was required to plug a well being used for those animals because it was too close to the newly constructed Supreme Beef LLC manure basin. Is W-6 Farms now getting water from the Supreme Beef LLC wells? If so, the total projected water use would be even higher.

And if Supreme Beef LLC should choose to flush the cattle containment buildings with well water, the amount of water use would increase even more dramatically.

Another major deficiency both in the original permit application and the application for renewal is the failure to mention the Thompson family's long established well just across the road west of Supreme Beef. That is in violation of the requirement that nearby wells be shown.

Neither the original permit application nor the application for renewal acknowledged the presence of sinkholes in the northwest corner of the Supreme Beef LLC property. Those sinkholes are clear indicators of the karst topography, and the very real potential for well pollution and/or well failure.

In a southwestern Wisconsin study of rural wells in karst topography – very similar to the Driftless Area of northeastern Iowa – more than 26% of wells that were tested showed positive for coliform bacteria. More than 1,000 wells in Clayton County are relatively shallow - less than 300 feet deep – and therefore susceptible to both bacterial and nitrate pollution. There's a real threat of northeast Iowa wells becoming contaminated, as manure application increases. The water withdrawal permit for 11,600 cattle obviously will lead directly to the production of more manure, which must be disposed of. Can our land and water safely absorb that manure? That's very doubtful.

Despite these and other questions and concerns, the 2017 summary report for the water use permit dismissed without corroboration any fears over impact on the aquifer or the environment or human health:

The ability and intent of the applicant to devote a reasonable amount of water to a beneficial use seem evident. There is no evidence that the use of water pursuant to a permit granted in accordance this request will constitute a waste of the water resources of the State, will be incompatible with the state comprehensive plan for water resources, will impair the effect of pollution control laws of this State or the navigability of and navigable watercourse, or will be detrimental to the public interest or to the interests of property owners with prior or superior rights who might be affected.

I strongly disagree with the unsubstantiated conclusions of the 2017 summary report. Iowa law explicitly prohibits the issuing, or the continuing, of a water use permit that might cause pollution. It's quite clear that the purpose of the water use permit is to make it possible to house 11,600 cattle at Supreme Beef LLC.

Even if the feedlot operators make good-faith efforts to handle the waste products, manure from 11,600 cattle being applied on highly erodible land in the karst topography of Northeast Iowa is very likely to pollute streams, groundwater, and wells. A March 28, 2022, Polk County District Court ruling said that a Sierra Club lawsuit challenging Supreme Beef's Nutrient Management Plan "has articulated enough facts that made its alleged impending injury actual as opposed to speculative."

As a regular user of the Bloody Run Creek valley – and other Driftless Area streams and rivers – for hiking, bird-watching, photography, fishing, and outdoor education, I contend that use of the Jordan water by Supreme Beef LLC for 11,600 cattle will result in pollution that impacts the public's quality of life and Iowa's land, air, and water resources.

That will violate Iowa Code, which states: A permit to divert, store or withdraw water shall not be issued or continued if it will unreasonably impair the long-term availability of water from a surface or groundwater source in terms of quantity or quality, or otherwise adversely affect the public health or welfare.

For the reasons outlined above, I assert that Iowa law requires the DNR to reject the request to renew the water withdrawal permit for Supreme Beef LLC.