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May 7, 2026

Submitted via MPCA Public Comment Form

Minnesota Pollution Control Agency
c/o Charles Peterson
520 Lafayette Road North
Saint Paul, MN 55155

Re: Riverview LLP - West River Dairy - Feedlot Permit Environmental Assessment Worksheet

Mr. Peterson,

CURE is a rurally based, non-profit organization dedicated to protecting and restoring resilient towns and landscapes by harnessing the power of the people who care about them. On behalf of CURE, I am submitting the following comments regarding the proposed West River Dairy expansion environmental review. We urge the MPCA to take a comprehensive approach that reflects the long-term health of Minnesota's water, land, climate, and rural communities—doing so would be best accomplished with an Environmental Impact Statement (EIS) analysis to inform MCPA's decisions.

Riverview, LLP has applied to expand its West River Dairy animal feedlot to 26,397 animal units, housing 18,855 cows. If approved, this would be the largest feedlot operating in Minnesota. CURE urges the Minnesota Pollution Control Agency to mandate that the West River Dairy expansion undergoes an EIS to fully assess the risks of the dairy expansion. An EIS would ensure that all potential impacts of the proposed expansion are considered, including impacts to air, water, and soil quality, as well as the socioeconomic impacts to rural dairy farmers and the market influence such an operation would have on the milk industry in Minnesota. The preparation of an EIS would support the mission of the MPCA to ensure that every Minnesotan has healthy air, sustainable lands, clean water, and the ability to plan for, and not merely react to, drastic climate

events—all of which may be negatively impacted by a facility of this size. Mitigating these harms is only possible if they are correctly identified and evaluated.

According to the state of Minnesota's 2026 Climate Action Framework, manure accounts for 4.1 million metric tons of CO_2-equivalent (CO_2-e) emissions, the third highest producer of greenhouse gases (GHGs) in the state, with nitrous oxide (N_2O) from agricultural soil management, including the application of manure as fertilizer, being the leader in GHG emissions at 15.2 million metric tons CO_2-e.[2] The production of manure—roughly 520,000 tons annually—may result in significant amounts of methane emissions, strongly undermining the state's climate goals. Additionally, this manure, when held on the land, threatens soil quality and the drinking water of the entire region. And for an area that has already seen small dairy farms going out of business, this expansion further strains the local farming community and consolidates the dairy market in Minnesota. CURE believes that an EIS should be performed for not only this expansion, but any future proposals of this size. The impacts on the economy and land can only be understood through the kind of rigorous examination in an EIS.

I. Water Use and Availability

The scale of the proposed expansion raises serious concerns about groundwater withdrawals in a region already experiencing overuse/stress on aquifers. Large dairy operations require significant volumes of water for animal consumption, cleaning, and manure handling. Riverview is proposing that 226 million gallons of water a year be extracted from an off-site well.[1] This proposal is more than 100 times that of the neighboring city, and almost as much as the entire City of Morris.[2]

While the proposer claims that they "… strive [] to be good stewards of natural resources, including water,"[3] the company's recent actions in Arizona contradict this. Earlier this year, the

[1] MPCA, Environmental Assessment Worksheet: Alternative EAW Form for Animal Feedlots: West River Dairy Expansion [p.35] 2.2.2026.
[2] Calculation estimate achieved from 700,000 gallons/day x 365 days in a year = 255,500,000 gallons https://www.wearewaterwcmn.com/morris-water#:~:text=is%20less%20hard.-,%E2%80%8B,is%20700%2C000%20gallons%20per%20day.
[3] MPCA, Environmental Assessment Worksheet: Alternative EAW Form for Animal Feedlots: West River Dairy Expansion [p.18] 2.2.2026.

Arizona Attorney General settled with Riverview, forcing the company to pay $11 million to fund new wells and haul water to the residents of Willcox, after depleting the town's water supply for use at the company's Sulphur Springs Valley dairies.[4]

In this instance, the MPCA should require a detailed, cumulative impact analysis of groundwater use, including potential drawdown effects on neighboring wells, wetlands, and surface waters. Protecting water as a shared public resource must remain a priority over concentrated private industrial use.

II. Manure Management, Water Quality and Climate Change

West River Dairy sits adjacent to the Pomme de Terre River, an impaired waterbody that is already considered one of the most polluted tributaries of the Minnesota River. The MPCA reports that within a 10-year period from 2007 to 2017/2018 there was an annual increase of 11% in nitrate-nitrogen, the leading cause of water pollution in Minnesota.[5] Further review of existing and foreseeable nitrate-nitrogen pollution is vital to determining the potential impacts of the proposed dairy expansion to this already stressed ecosystem.

Manure production and storage can also have significant impacts on water quality and greenhouse gas emissions.[6] That's why the state's updated Climate Action Framework specifically names fertilizer and manure management, as well as management of agricultural landscapes, as ways to reduce emissions and minimize nitrogen runoff and pollution.[7] Guiding these priorities is Minnesota's goal to reduce statewide GHG emissions by 50% by 2050.[8]

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[4] Kris Mayes, Attorney General, State of Arizona, https://www.azag.gov/ag-mayes-announces-riverview-settlement.
[5] MPCA, Watershed Information: Pomme de Terre River, https://www.pca.state.mn.us/watershed-information/pomme-de-terre-river.
[6] U.S. EPA, Agriculture Sector Emissions, https://www.epa.gov/ghgemissions/agriculture-sector-emissions.
[7] State of Minnesota, 2025 Climate Action Framework, https://climate.state.mn.us/sites/climate-action/files/cc-mn4-04.pdf.
[8] MPCA, Climate change initiatives, https://www.pca.state.mn.us/air-water-land-climate/climate-change-initiatives.

The expansion appears to be contradictory to these goals, substantially increasing the volume of manure generated by West River Dairy and heightening the risk of nutrient runoff, spills, and leaching into groundwater. And because manure emits methane, a potent greenhouse gas, increasing the amount of manure produced is likely to have significant impacts on our state's climate goals.[9]

The MPCA's Feedlot Permit explains that "This permit requires the facility to be designed, operated, and maintained to prevent discharge to waters, except in an extreme storm event." With extreme rain events becoming more frequent, considerations of the impact of possible discharge to waters need to be considered.[10]

The proposed adaptive strategy, as detailed in the EAW—covering Liquid Manure Storage Areas and sizing stormwater basins at 20% above a 25-year, 24-hour storm—does not adequately reflect current climate realities. Out of 12 "mega-rain" events to have occurred in Minnesota since 1860, where 6 inches or more of rain fell during one event, five have taken place since 2000 and the frequency of heavy rain events is expected to double by 2100.[11] Extreme weather events that included heavy rain and flooding occurred around the project location in April and June of 2023[12] and again in July 2025[13], demonstrating the increased frequency of unprecedented and unpredictable weather events.

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[9] State of Minnesota, 2025 Climate Action Framework, https://climate.state.mn.us/sites/climate-action/files/cc-mn4-04.pdf.
[10] Minnesota Department of Natural Resources (MN DNR), Climate Trends: What is Happening? https://www.dnr.state.mn.us/waters/watermgmt_section/shoreland/climate-trends/what-happening.html.
[11] Lucinda B. Johnson et al., "Impacts of Climate Change on Northern Ecosystems," (data derived from Wuebbles & Hayhoe, 2004).
[12] U.S. National Oceanographic and Atmospheric Administration, National Centers for Environmental Information, Storm Events Database – Search Results for Stevens County, Minnesota, https://www.ncei.noaa.gov/stormevents/listevents.jsp?eventType=%28Z%29+Flood&eventType=%28C%29+Heavy+Rain&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=2016&endDate_mm=01&endDate_dd=31&endDate_yyyy=2026&county=STEVENS%3A149&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=27%2CMINNESOTA.
[13] MN DNR, Severe Thunderstorms and Flooding, July 27-28, 2025, https://www.dnr.state.mn.us/climate/journal/severe-storms-flooding-july-27-28-2025.html.

According to the Minnesota Department of Natural Resources (DNR), mega-rainfall events like these are now more than 2.5 times as common as they were in the late 20th century,[14] with projections showing continued increases in both frequency and intensity.[15] Designing infrastructure using standards based on outdated precipitation data leaves a high risk of pollution overflow and water contamination.

Given that extreme precipitation events are growing more frequent and intense, an EIS is needed to ensure the suitability of proposed adaptations and to understand the potential impacts to surrounding aquifers of a discharge during such an event. Minnesota's current and predicted forecasted extreme weather events need to be correctly applied to proposed mitigation, for full and accurate evaluation. The current EAW does not do this.

According to the state of Minnesota's 2026 Climate Action Framework manure accounts for 4.1 million metric tons of CO_2-equivalent emissions, the third highest producer of greenhouse gases in the state, with nitrous oxides from agricultural soil management, including the application of manure as fertilizer, being the leader in GHG emissions at 15.2 million metric tons.[16]

At a time when Minnesota is working to meet climate goals, approving expansions of concentrated animal feeding operations without a full accounting of lifecycle GHG emissions is inconsistent with those commitments. The MPCA should require a thorough climate impact assessment and consider mitigation measures, including limits on herd size growth and investments in emission-reducing technologies. The MPCA must ensure that nutrient management plans are not only technically sufficient on paper but enforceable and resilient in practice and that they align with the state's climate goals, specifically: initiative 2.3.2, manage fertilizer and manure to reduce emissions; and 2.4.1 manage agricultural landscapes to minimize nitrogen runoff and pollution. The proposed mitigations for manure management, which include

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[14] MN DNR, Climate Summaries and Publications, Historic mega-rain events in Minnesota, https://www.dnr.state.mn.us/climate/summaries_and_publications/mega_rain_events.html#:~:text=Mega%2Drains%20more%20common%20since%202000&text=Put%20another%20way%2C%20these%20major,decades%20of%20the%2020th%20century.

[15] Minnesota Go, Climate Change Trend Analysis, https://www.minnesotago.org/application/files/6016/4520/5690/Climate_Change_Jan_2022.pdf.

[16] Minnesota Pollution Control Agency. (2026). *2026 Minnesota Climate Action Framework*. p.18. GHG emissions and sequestration from natural and work lands graphic, https://climate.state.mn.us/sites/climate-action/files/cc-mn4-04.pdf.

applying manure fertilizer on fields that are in operation and considering rates of application, still introduce increased manure and therefore N_2O into the soil, water, and atmosphere.

III. Species of Special Concern

The Pomme de Terre River, just southeast of Morris, is home to one of the last, if not the only remaining reproducing population of Elktoe (Alasmidonta marginata) freshwater mussels in the Minnesota River watershed.[17] Elktoe mussels are listed as threatened on the MN DNR Rare Species Guide.[18] A primary threat to the Elktoe mussel is non-point source loading from agricultural practices including agricultural runoff from fertilized crops and animal waste (manure) introduced into water ways.[19] The Environmental Protection Agency specifically states that freshwater mussels are sensitive to changes in water quality including altered water flow, sedimentation and the introduction of contaminants, including those from land use activities from agriculture.[20] In fact, in a study published by the MPCA, DNR, and Macalester College stated, "We find that current state water quality standards may not be sufficiently protective of mussels."[21] An EIS is the way to evaluate and propose alternatives to management to ensure all possible protective measures are in place.

The federally protected Northern Long-Eared Bat has also been identified in the project area. According to a White Paper on the Northern Long-Eared Bat from the Little River Band of Ottawa Indians, "Energy extraction activities and agricultural activities are also frequently responsible for harmful and toxic substances entering water networks such as fertilizer runoff, brine, or other

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[17] Minnesota River Basin Data Center, Mussel Survey, https://mrbdc.mnsu.edu/sites/mrbdc.mnsu.edu/files/public/pdf/askexpert/mussel%20survey.pdf.
[18] MN DNR, Rare Species Guide, 29 results for *mussel*, https://www.dnr.state.mn.us/rsg/filter_search.html?action=doFilterSearch&allstatus=Y&mussel=Y.
[19] New York Department of Environmental Conservation, Species Status Assessment, Elktoe Mussels, https://extapps.dec.ny.gov/fs/programs/dfw/SWAP2025/Freshwater%20Mollusks%20and%20Crustaceans/Elktoe.pdf.
[20] U.S. EPA Office of Pesticide Programs, *EPA's Vulnerable Species-Freshwater Mussels*, Sept. 24, 2024, https://storymaps.arcgis.com/stories/b8083203d9e147b3894b4f67c1402538.
[21] Bakshi, B. et al., *Freshwater Mussels, Ecosystem Services, and Clean Water Regulation in Minnesota: Formulating an Effective Conservation Strategy*, *Water* 2023, *15*(14), 2560; https://doi.org/10.3390/w15142560.

chemicals. Bats have been observed using artificial water sources, including industrial holding ponds and pits."[22] An EIS is the only way to thoroughly investigate the agricultural impacts on this federally protected species.

IV. Economic and Market Impacts

The continued expansion of Riverview raises concerns about corporate consolidation and the long-term viability of independent family farms. Increasing concentration in the dairy sector can suppress milk prices, limit market access, and reshape rural economies in ways that reduce resilience and local ownership.[23] The local community has already seen a loss of small, family dairy operations that are unable to compete with the market of inexpensive milk that is produced by an operation of this capacity.[24] Statewide, we have lost 1,300 farms in the last two years alone.[25] The economic impacts of corporate consolidation on this scale severely constrain the health and competitiveness of Minnesota's milk market.[26] The MPCA should consider these broader socioeconomic impacts as part of its environmental review, recognizing that environmental sustainability and economic fairness are deeply interconnected.

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[22] Cornman, A. M. 2014. A white paper on the northern long-eared bat, forest management, and threat interactions. Little River Band of Ottawa Indians Natural Resources Report No. 2014-2, https://www.researchgate.net/publication/317094298_A_white_paper_on_the_northern_long-eared_bat_forest_management_and_threat_interactions.

[23] Land Stewardship Project, Flooding the Market: How Dairy Consolidation is Drowning Minnesota's Farmers & Rural Communities, Apr. 23, 2026, https://landstewardshipproject.org/wp-content/uploads/Milk-Flood-C-4-23-26.pdf.

[24] Debbie Weingarten, *'There are ghosts in the land': how US mega-dairies are killing off small farm*, THE GUARDIAN, June 1, 2021, https://www.theguardian.com/environment/2021/jun/01/there-are-ghosts-in-the-land-how-us-mega-dairies-are-killing-off-small-farms.

[25] Kent Erdahl, *Minnesota has lost 1,300 farms in two years, many more on the brink*, KARE11, Feb. 25, 2026, https://www.kare11.com/article/news/local/breaking-the-news/minnesota-has-lost-1300-farms-in-two-years-many-more-on-brink/89-20999e54-3f22-4b0c-84dc-285814f3b723.

[26] Hannah Tremblay, *Dairy's Decline: The Harsh Reality for Farmers and What We Can Do About It*, FARM AID, June 23, 2023, https://www.farmaid.org/blog/dairys-decline-harsh-reality-for-farmers/.

Conclusion

The expansion of the West River View Dairy operation would result in the largest confined animal feedlot operation in Minnesota with 18,855 dairy cattle. This will undoubtedly have cumulative impacts on the watershed. The impacts of an operation of this size ripple through natural water systems, including the entirety of the 130-mile long Pomme de Terre River which flows past not only the existing West River Dairy site but also Riverview's Louriston Dairy.[27]

In closing, CURE asks the MPCA to uphold its responsibility to protect Minnesota's natural resources and communities by applying rigorous scrutiny to this proposal through an EIS. The proposed climate adaptation strategies detailed in the EAW require further investigation through an EIS to determine the efficacy of the proposed adaptations.

Decisions made today will shape water quality, climate resilience, and rural livelihoods for generations. A cautious, science-based approach is not only warranted—it is essential.

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[27] *See generally* MPCA, Pomme de Terre River Watershed: Stressor Identification Update, Feb. 2024, https://www.pca.state.mn.us/sites/default/files/wq-ws5-07020002b.pdf.