

## A.J. Bos Agrees to Abandon Traditions Megadairy Project Near Nora, IL

*After Five Years of Controversy, Poorly Sited Animal Factory Being Cleaned Up for Sale*

**Warren, Illinois** – On November 15, 2012, the Illinois Pollution Control Board (IPCB) announced a proposed settlement agreement between the Illinois Attorney General's Office and Traditions megadairy owner/investor, A.J. Bos of Bakersfield, California. **According to the terms of the settlement, Bos will abandon the site in Jo Daviess County, Illinois, where the Traditions facility was being constructed.**

Workers are already land-applying the remaining liquids contained in the partially constructed manure ponds and digester pit to prepare the land for sale.

“Stopping this dangerous project would not have been possible without the dedication and commitment of HOMES and their supporters. Never before in my work in Illinois and across the country have I witnessed a community succeeding in halting the construction of an industrial livestock production facility after groundbreaking,” says Danielle Diamond, Attorney for the Illinois Citizens for Clean Air & Water and Executive Director of the Socially Responsible Agriculture Project.

This unprecedented achievement effectively ends a five-year, multi-million dollar battle between Bos and Jo Daviess County family farmers and residents, who were determined to evict the gigantic animal factory to protect their clean drinking water, clean air, and way of life. The megadairy operation was sited atop fragile karst bedrock, which could allow countless tons of waste and liquid manure to contaminate groundwater.

[Click here for full story](#) - (Link to Bos Abandons Nora Megadairy PR.pdf)

[Click here for Settlement Agreement](#) - (Link to Proposed Settlement.pdf )





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## **HOMES Meetings**

HOMES is now holding our regular meetings at 6:30 pm on the the 3rd Tuesday of every month. Stop by for legal updates, information about other groups fighting CAFOs, and help us plan

future educational presentations.

Join us at Cotton Expressions, 814 Anson St in Warren (at the former Honeywell Microswitch plant). Park in front and ring the doorbell. There is usually some finger food available.

## **Latest News**

- April 19, 2012, the Illinois Pollution Control Board (ILPC) posted on their web site that a settlement agreement is being discussed in the purple leachate discharge case brought against the megadairy by the Office of the Attorney General. No settlement has been announced. Both sides are due to report their progress to the ILPC on June 28, 2012.

- March 30 2012, Bos sells another 318 acres of farm land. As with all previous sales, it includes a rider that allows Bos to spread manure on these fields for the next 20 years. In 2008, A.J. Bos purchased 1,401 acres of land to use to build two megadairies, grow corn and dump manure. He now owns only 326 acres, which are the two parcels that the megadairy itself was built upon. We believe that Bos is hoping that an anti-environmental Congress will destroy the EPA, giving him a green light to restart this dangerous project. This land, scarred with acres of half dug manure pits, concrete slabs for non-existent barns, and a cracked four acre concrete pad that once held the silage responsible for the October 2010 purple discharge is going to be more difficult to sell. For those reasons Bos may hold onto this land, hoping to eventually realize his dream of shoehorning 15,000 cows onto a few hundred acres.

- Late March and April 2012, more trucks were seen leaving the site of the megadairy loaded up with large plastic drain pipes.

- On March 6, 2012, a large crane was seen at the megadairy site disassembling the concrete retaining walls around the silage pad. About 20 flat bed trucks loaded up with these panels were seen leaving the site and heading north into Wisconsin.

- Due to overwhelming opposition to the Ag Gag bill (HB5143) the sponsor of the bill, State Representative Jim Sacia pulled it before it could be voted down in committee. HOMES thanks everyone who called their representative and let them know that poor treatment of animals at industrial facilities should be revealed to the public, not hidden due to threats of jail time.

- On February 21, 2012, the Illinois Pollution Control Board posted on their web site that no settlement was likely in the purple leachate discharge case brought against the megadairy by the Office of the Attorney General, and requested a status update on April 19, 2012. It is very

likely that this case won't be decided until at least 2013.

- On September 2nd, 2011 the Illinois Environmental Protection Agency (IEPA) denied the Traditions megadairy's Clean Water Act Section 401 Water Quality Certification application. The 401 certification was required by the U.S. Army Corps of Engineers after the Corps determined that the megadairy was planning to build one of its two 14 acre manure ponds atop of a tributary at the headwaters of the Apple River.

- If megadairy ever wants to become operational, it will either have to reapply for the 401 permit certification with the IEPA, or submit a new set of revised plans with the IDOA for a much smaller facility that doesn't need both 14 acre manure ponds. [Click here for full story](#)

- Starting in late June, 2011, workers at the site of the megadairy have been disassembling the two barns that were installed in 2008. As of Tuesday, July 19th, both barns are completely disassembled. Each barn is about 1,000 feet long. Flatbed trucks loaded with steel have been seen leaving the facility and heading into Wisconsin. Pictures of the disassembled barn can be seen on our "Photos" page.

- On April 20, 2011 the Illinois Attorney General filed a five-count suit with the Illinois Pollution Control Board against the megadairy after their investigation of the October 1, 2010 purple discharge. This suit adds yet another hurdle that the California millionaire investor will have to clear before he can operate his 5,500-head dairy, which will endanger the pristine Apple River Canyon State Park and jeopardize dozens of family-owned farms.

- The five counts address Clean Water Act violations, including water pollution, discharging without a permit, and discharging effluent into waters of the state. Each of the five counts carries a penalty of \$50,000 per incident plus \$10,000 per day, for a total fine of more than \$250,000.

- On Friday, October 1, 2010, neighbors of the A.J. Bos megadairy noticed that the normally clear tributary to the Apple River that originated on the site of the Bos facility was bright purple. HOMES contacted the IEPA and the US EPA, both of whom immediately sent inspectors to the site.

- An employee of the facility told investigators that on the previous day, September 30, he dumped 320,000 gallons of purple silage leachate onto five acres of Bos property, or about 64,000 gallons per acre. Agronomic application rates are usually 3,000 to 6,000 gallons per acre.

## **Action Alert - Thank You for Your Support**

The Clean Water Funding Fairness Bill didn't get voted on this legislative session. Due to intensive lobbying by both Farm Bureau and State Representative Jim Sacia, there weren't enough Yes votes confirmed in time to call a vote before the end of the session.

This fee would only apply to CAFOs that had a history of illegal discharges, and not family farms.

**House Amendment 1 to S.B. 1682** will protect clean water by ensuring that factory farms—or Concentrated Animal Feeding Operations (CAFOs)—fund their share of Illinois's Clean Water Act rather than shifting their costs to other industries or taxpayers.

Currently all pollution dischargers, from the largest industries to the smallest villages, have to pay an annual permit fee, except for CAFOs.

Despite the massive wastes generated by CAFOs, and their terrible record of environmental damage, including fish kills, CAFOs have been exempt from paying their fair share of the costs associated with monitoring and preventing pollution discharges.

This bill will not affect traditional family farms and will only require the largest polluting animal factories to pay their fair share of monitoring **expenses**. The Illinois EPA will use these fees to employ agents that will monitor these large CAFOs.

This bill is endorsed by the Illinois EPA, the Illinois Association of Wastewater Agencies, and numerous state environmental groups, including the Sierra Club, Environment Illinois, and the Illinois Environmental Council.

## **What you can do**

Want to help? Check out our ["What you can do"](#) page.



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