

# CORPORATE CAFOS THREATEN NORTH DAKOTA COMMUNITIES

## THIS ISN'T JUST A FEW ANIMALS AND A COUPLE OF BARNES.

North Dakotans have clean air, water, and the best soil in the world. We respect and know our neighbors. We want to raise strong, healthy families in stable communities. ND's independent farmers and ranchers who live on and off the land have made the agricultural economy one of the best in the nation.

**BUT** the times are changing: Governor Burgum and the 2023 Legislature and the ND Supreme Court are dead set on advancing animal agriculture by inviting out-of-state corporations to build factory farms through a package of livestock bills.

Corporate capital and their vertically integrated business models threaten our clean ND landscape. This legislation is designed to entice producers to bring hundreds of thousands if not millions of hogs to our state!

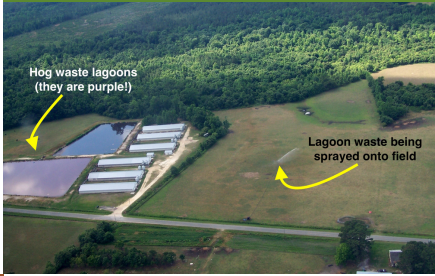
### DID YOU KNOW?

- The average hog produces 11 pounds of waste a day. A CAFO with 5,000 hogs can produce the equivalent of a town of 50,000 people!
- Iowa livestock in the state produces the waste equivalent of 128 million people.



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## WHAT IS A CAFO?

- **Confined Animal Feeding Operation (Factory Farm)**
- Animal agriculture is one of the top polluters in our country and one of the least-regulated industries.
- 12,500 hogs can legally live 1 mile from you- producing an estimated 4.2 million gallons of waste per year that will need to be spread on over 4,000 acres.
- In 2022: South Dakota had 2 million hogs. Minnesota had 8.6 million hogs and Iowa had 23 million hogs.

# WHAT GOV BURGUM'S "FARM FREEDOM" LIVESTOCK PACKAGE MEANS TO OUR STATE

**NORTH DAKOTA LEGISLATURE PASSES BILLS THAT PROMOTE LIVESTOCK, BUT THERE IS A PRICE**

## "LIVESTOCK FRIENDLY" LEGISLATION DOES NOT MEAN COMMUNITY FRIENDLY

The game has changed quickly. The ND legislature passed a pair of bills that put pressure on local entities to develop livestock friendly regulations and allow secret location selection.

**"Livestock Friendly" and "Farm Freedom" are smokescreens to give free reign to an industry that is already dangerously deregulated.**

**SB2371** creates a designation of "Livestock Friendly" county. To receive this designation a local commission must pass a resolution and meet setback criteria set by the state agriculture department. This designation will be posted on advertisements, billboards, and in materials be for economic developers and investors.

**HB1437** gives grants to "Livestock Friendly" counties. Money will be used to pay for advisors that would rework local setback laws to allow CAFOs and to review sitemaps to identify sites that could be developed.

## **SB2371 WILL ATTRACT THE INVESTORS HB1437 WILL BE THE BRIBE TO CONVINCE COUNTIES TO AGREE TO THE TERMS**



## 2023 LEGISLATIVE ACTIONS:

- **HB1371**
  - Allows Out of State investors for livestock
- **HB1423**
  - Takes away Setback control from Townships
  - Creates a statewide zoning board to develop new setbacks
- **SB2371**
  - Creates a "Livestock Friendly County" Designation for economic marketing to investors
- **HB1437**
  - Gives grants to counties to identify possible livestock barn sites in secrecy

## **HB1423 STATE SETBACK BOARD STACKS THE DECK**

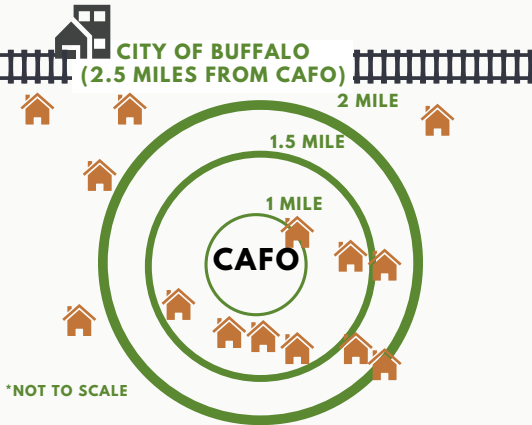
**HB1423** establishes a state board to review the setback law every 5 years.

**9 of the 15 organizations who would be represented on this board testified in favor of HB1423 and no independent environmental or public health groups have a seat on the board.**

The board will create several new types of setbacks including overlays and low density agricultural districts. **This board is stacked to corporate interests to put CAFOs as close to communities as they can without backlash.**



# HOW SETBACKS WORK



## HB 1423 REMOVES LOCAL CONTROL

Prior to **HB 1423**, townships had the authority to extend the setback requirement to 1.5 miles **BEFORE** a permit was ever submitted.

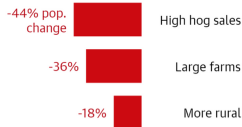
## MYTH: CORPORATE FARMING WILL BE A BOON FOR OUR STATE FARM ECONOMY AND LOCAL COMMUNITIES



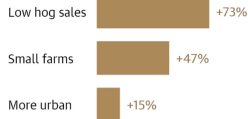
- **HB1371** carves out a special class of farm that will allow out of state investors to invest in CAFOs. Contracts made with these farms are usually one-sided- benefit the company and constrain the farmer. Companies often use their own materials to build their barns and will only ship in feed and supplies that they own. Contracts can be exclusive for 10-15 years and they often dictate when a farmer can sell their pigs.

- A recent study found that between 1982 and 2017, Iowa counties with the highest hog sales suffered in many key areas of economic growth, most notably seen in population loss. Food and Water Watch's report found that CAFO counties have lost 40% of their retail businesses and 75% of their grocery stores since 1982 - suffering heavier losses than the rest of rural Iowa on average.

### Iowa counties with large farms and high hog sales shrunk in the last 40 years



### Counties with small farms and low hog sales grew



Guardian graphic. Source: US Census Bureau. Population change between 1982 and 2017 in Iowa counties.

## Howes Township example

- To build next to an existing home or business, there must be consent from neighbors if they live within a mile and a half away (a 1 mile setback).
- The 50% extended setback (1.5 miles) can be used there is a town, business, recreation area, or place of worship nearby. **HB 1423** takes away the extend setback protection.
- For example, without the extended setback, only 6 homes would need to give permission to build the CAFO. If setbacks were reduced to 1 mile no permission would be needed!

**CORPORATE INTERESTS COULD NOT WIN IN COURT SO THEY CHANGED THE LAW!**

## HB 1371- WHO MAKES THE MONEY?

Corporate Interests- YES!

Local farmers who own land- YES!

Out of state investors- Yes, in good years

Local Communities- NOT MUCH!

## WHAT IS VERTICAL INTEGRATION?

Vertical integration is when a company takes direct ownership of various stages of production rather than relying on regional contractors or suppliers.



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# IS "CHEAP MEAT" GOOD FOR HUMAN HEALTH?

**LUNG DISEASE, WATER POLLUTION DUE TO POOR PRACTICES AFFECT HEALTH IN SURROUNDING COMMUNITIES**

## SMALL PRODUCERS HAVE A HARD TIME COMPETING

The meat industry's four largest companies, in the US, control 65% of the pork market from birth to slaughter. The COVID-19 pandemic has highlighted the limitations of large corporations controlling our food supply. Closed packing plants led to animals being euthanized. There is little flexibility in the current system.

## WATER POLLUTION THREATENS HEALTH

51% of our drinking water in the United States comes from ground water. Many rural residents rely on private wells for their drinking water. The most common cause for contamination are leeching of manure, or cracks in the manure storage containment units.

There are standards for soil and manure nutrients like nitrogen and phosphorus, but they do NOT address agricultural runoff which incur higher cost for downstream water treatment, contribute to harmful algae blooms and can cause "blue baby syndrome" which can kill infants if they ingest high nitrate water.

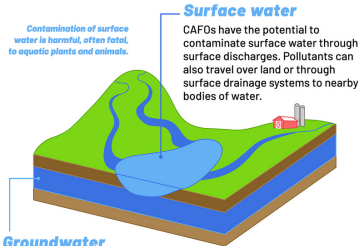
Studies in Minnesota and Michigan confirm that CAFO's are applying manure in excess of state standards leading to surface water pollution.



### DID YOU KNOW?

Studies in Wisconsin, Pennsylvania and North Carolina found increased asthma problems and/or decreased lung function in people living within 1.5-3 miles of a CAFO.<sup>1-3</sup>

### WATER POLLUTION



Contamination of surface water is harmful, often fatal, to aquatic plants and animals.

Groundwater is a major source of drinking water in the U.S. It supplies water for 51% of the total U.S. population and 88%

<https://www.indianaenvironmentalreporter.org/posts/cafo>

## CAFO'S SHOW AN INCREASE IN ASTHMA AND OTHER LUNG DISEASES

Tiny airborne particles from litter, straw and manure are part of CAFO dust. These particles irritate eyes, noses, sinuses, lungs and can enter the bloodstream.

CAFO's are also associated with a high incidence of premature death, heart attacks and lung cancer

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# ITS WORSE THAN JUST THE SMELL...

Swine CAFOs produce ammonia, hydrogen sulfide, methane, and volatile organic compounds (VOC'S) described as smelling like rotting vegetables, stinky feet, and putrid manure. No wonder neighbors of swine CAFOs experience depression, anxiety, nausea, headaches, and decreased ability to be outside. These odors cause a noticeable drop in property values and make communities less attractive for other businesses.

Odors change with wind, temperature, and humidity and under North Dakota Law are tough to enforce.

Setback regulations only apply to odors from the barn itself. Odor coming from manure spread on fields is every bit as noxious, pervasive, and inescapable.



## DID YOU KNOW?

Manure also contains antibiotics, hormones and heavy metals which is added to feed.

These accumulate in soil and water causing problems. The ND Dept. of Env. Quality does not address this.

## DID YOU KNOW?

**A CLASS ACTION LAWSUIT WAS BROUGHT UP AGAINST THE MURPHY-BROWN LLC FARMS FOR ODOR IN NORTH CAROLINA.**

**AFTER A FEDERAL COURT ORDERED COMPENSATION FOR DAMAGES TO RESIDENTS LIVING NEAR THE FACILITIES THE NORTH CAROLINA LEGISLATIVE BODY QUICKLY PASSED BILLS TO REMOVE ODOR REGULATIONS COMPLETELY TO PREVENT FUTURE LAWSUITS**

## THE REGULATORS AREN'T READY

While manure can be valuable as a fertilizer, there is such a thing as too much. The Department of Environmental Quality (DEQ) is charged with permitting, inspection and enforcement of the rules. Neither the DEQ budget nor staffing requests for this session adequately reflect the added workload which will come with the entry of corporate CAFO's.

Currently, piglets are not counted as producing manure and CAFOs can increase their capacity without submitting another permit as long as it doesn't exceed its current permit's upper limit of animal units (adding as many as 1000 hogs). Underestimating the amount of manure produced saves the CAFO money but allows a huge potential for over application of manure. <sup>8-10</sup>



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# ABOUT DRC

DRC's mission is to promote sustainable use of North Dakota's natural resources and family-owned and operated agriculture by building member-led local groups that empower people to influence the decision-making processes that affect their lives and communities.

# WHAT CAN YOU DO?

**JOIN THE FIGHT TO STOP CAFOS IN YOUR COUNTY.**

## Contact Your County Commissioner and Township officials

- Townships and Counties may not be aware of the rule changes that are coming their way.
- Tell them about your concerns about CAFOs
- Tell them to reject "Livestock Friendly" grants
- Request overlays to protect their counties most valuable economic and environmental resources.

Citizens being involved in the process of determining our zoning laws will be the only way that we can successfully fight these projects. When we pass laws that give too much control to out of state ag interests it will be almost impossible to get it back.



**CITIZEN INVOLVEMENT AT THE LOCAL LEVEL WILL BE THE KEY TO EDUCATING OUR LOCAL ELECTED OFFICIALS.**

## Join DRC Today to keep up on all the latest news

DRC fights to keep North Dakota Farms family owned and operated. We believe communities are stronger in the hands of those that call them home.

DRC will keep you updated on all of the latest local and state news about CAFOs. We will also send you action alerts to let you know when you can participate in events to educate and keep our elected officials representing us.

**Memberships Start at \$35 dollars a year.**



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