

## **RURAL RESIDENTS FOR RESPONSIBLE AGRICULTURE: HOG CAFOS AND DEMOCRATIC ACTION IN ILLINOIS**

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### ABSTRACT

Rural Residents for Responsible Agriculture (RRRA) is a local nonprofit group formed in West Central Illinois that successfully prevented the construction of an 18,220 head Concentrated Animal Feeding Operation (CAFO). Here I document my participation in this group and our ability to overcome largely undemocratic channels used by the industrial swine industry to site CAFOs. I situate our struggle within the well-documented literature on CAFOs' negative effects on the environment, economy, and health of the people living near them. I then consider the lobbying power behind industrialized agriculture and relate this information to RRRA's fight. I provide a detailed account of how my rural community quickly organized and overcame the many challenges we faced from elected officials and lobbyists who had a vested economic and/or political interest in the construction of CAFOs.

On a misty May day in 2011, fifty west-central Illinois residents spilled into a small garage that housed their rural township's road equipment. An old card table covered with piles of leaflets rested in the center of the dimly lit room that smelled of gasoline and turpentine. Inside, elderly women with tired knees filled a few fold-up metal chairs while others stood around them. Outside, men wearing Carhart jackets and furrowed brows leaned against the building and smoked and spat with one ear close enough to the door to hear the conversation inside.

The people's faces were tense. They had gathered to learn more about the proposed construction of a massive concentrated animal feeding operation (CAFO) near their homes and farms in southeastern McDonough County. If built, this operation, known as Shamrock Acres, would house 18,220 hogs and legally could expand its swine population by more than 50 percent every two years with little additional regulation.

The man behind this factory farm was one of the people's own neighbors, an icy-eyed farmer who had lived in the community all his life. He had partnered with Professional Swine Management (PSM), a corporation that manages CAFOs across the Midwest, to build the facility on land he owned. The landowner was invited to attend the meeting but was absent. Instead, a cleanly shaved lobbyist in Timberland

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boots surprised the group. The lobbyist represented the Illinois Livestock Development Group, an organization that, according to its website, is “committed to growing the Illinois livestock industry” (ILDG 2013). He would be a key player in the intense struggle the community, my community, was about to face.

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People have domesticated and raised animals for meat and milk production for thousands of years, but the industrialization of livestock production in the form of massive CAFOs has recently skyrocketed. CAFOs confine large groups of livestock in small cages—the accommodations are so tight that the animals develop sores from rubbing against the metal bars that trap them. They spend their lives indoors, lying and standing on slotted concrete that gathers their waste into a cement pit beneath them. Though the cost to the animals’ well-being is high, CAFO operators focus on the profit potential of these facilities. By squeezing thousands of animals into a small space, they insist that they can efficiently feed and breed domestically produced “animal protein” (IDOA 2011a:181).

The CAFO industry often argues that industrialized factory farms promote economic development in poor rural areas with few jobs. In reality, CAFOs devastate rural communities by reducing property values, damaging local roads, polluting the air and water, and harming citizens’ health. According to a 1999 University of Missouri study, the value loss of residential property located within one-tenth of a mile of a CAFO is approximately 88.3 percent (Mubarek, Johnson, and Miller, as cited in Kilpatrick 2001). CAFOs complicate the issue of reduced property values (and decreased property tax revenue) by straining already limited road maintenance budgets. When road damage occurs from the semi-trucks that constantly transport animals to the slaughterhouse, the repair costs fall on taxpayers, not the CAFO owner.

Environmentally, CAFOs are catastrophic. A 1998 U.S. Environmental Protection Agency report found that livestock waste has “polluted 35,000 miles of rivers in 22 states and significantly contaminated groundwater in 17 states” (USDA Natural Resources Conservation and U.S. EPA, as cited in Imhoff 2010:43). The Pew Commission asserts that CAFOs also contribute to air pollution since “decomposing manure produces at least 160 different gases, of which hydrogen sulfide ( $H_2S$ ), ammonia, carbon dioxide, methane, and carbon monoxide are the most pervasive” (2008). These environmental costs are accompanied by human health costs. In a study of 644 children conducted in Keokuk County, Iowa, 55.8 percent

of children who lived near large swine farms had asthma symptoms (Merchant et al. 2005). People who are exposed to CAFO emissions are four times more likely to report headaches, six times more likely to report eye irritation, and 7.8 times more likely to report nausea (Schiffman et al. 2005). Consequently, residents near CAFOs report increased psychological distress and decreased perceptions of control over their health and well-being (Bullers 2005).

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Citizens' loss of control begins once an application to construct a CAFO is filed with the Department of Agriculture. The public has very few options when fighting against these facilities, and they often do not learn about the construction until it is too late. According to the Illinois Livestock Management Facilities Act, the law that regulates the location and construction of CAFOs, public information meetings are not mandatory and are not even an option for most existing facilities that wish to expand or for new facilities less than one thousand animal units that do not use earthen lagoons. (It is important to note that one animal unit is often more than one animal. For instance, 1,000 animal units could be as many as 33,334 piglets.<sup>1</sup>) While the Illinois Department of Agriculture (IDOA) is required to notify the county board of newly proposed CAFOs over one thousand animal units and to publish a notice in a local paper, if a county board elects to not hold a hearing (which may occur if the majority of members are pro-CAFO) and most of the public fails to read the newspaper the day the notice is published, it is very easy for a community to be unaware that a CAFO is coming to their neighborhood.

Our community was lucky to find out about Shamrock Acres early. It was an accident: the landowner wanted to buy my parents' farm across from the proposed site to have additional acreage to accommodate the manure produced by the CAFO. This gave my family enough time to file a Freedom of Information Act request to see Shamrock Acres' application. Together, my family and neighbors organized the May community meeting and invited as a speaker the cofounder of Illinois Citizens for Clean Air and Water (ICCAW), a coalition that works to protect the public from the effects of industrialized agriculture.

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<sup>1</sup>A pig weighing more than 55 pounds is 0.4 animal units, while a pig that weighs less than 55 pounds is 0.03 animal units. A 1,000 animal unit hog confinement could house up to 2,500 swine weighing more than 55 pounds or 33,334 swine each weighing less than 55 pounds. A detailed animal unit conversion chart can be found on the IDOA's Livestock Management Facilities Program website (<http://www.agr.state.il.us/Environment/LMFA/index.html>).

The ICCAW cofounder, who endured intense pollution from a dairy CAFO near her home, was unable to speak freely. The Livestock Lobbyist undermined the meeting by attacking her “lack of academic credentials” and disseminated false information about the size of Shamrock Acres, insisting that it would hold fewer than 3,000 animals. Fortunately, we had a copy of the application that showed the facility intended to house more than 18,000 hogs and quickly refuted his claims.

Despite the Livestock Lobbyist’s attempts to derail our meeting, we came up with our name: Rural Residents for Responsible Agriculture (RRRA). Once we had a name, we had a group. We distributed handouts that provided information about Shamrock Acres, along with strategies for voicing opposition and the contact information of local and state representatives. We collected names and phone numbers from thirty people who were opposed to the CAFO and began to meet regularly in a park near the proposed construction site.

For a rural west-central Illinois group, RRRA was diverse. There were cowboys and contractors, farmers and artists, nurses and truck drivers, small business owners and township officials, academics and salesmen, activists and pacifists, liberals and conservatives. What unified us was a shared commitment to fight against the intrusion of Shamrock Acres. The proposed location for the factory farm was terrible. Seven homes were within one mile or less of the site, and the outdoor playground of a daycare facility was approximately half a mile away. The site was also near recreational land where outdoorsmen film a hunting show about white-tailed deer.

By June of 2011, RRRA had gained community support. Though only 476 people populated the closest town, within a few weeks we gathered more than 200 signatures on a petition that requested a hearing to inform the community and county board members about Shamrock Acres. We created a website and Facebook page; did radio and TV interviews; wrote letters to and met with state and local representatives; and composed articles, letters, and press releases that graced the pages of newspapers across the state. We even presented our concerns at the Lieutenant Governor’s Rural Affairs Council meeting (Office of Lieutenant Governor Shelia Simon 2011).

We also teamed up with the owners of a local CSA (community supported agriculture) who were forced to move from their home and business after their neighbors constructed a CAFO next to them. They hosted a postcard party where community members wrote messages opposing Shamrock Acres to McDonough County board members, the Illinois Department of Agriculture (IDOA), the state

senator and representative, PSM directors, and even the landowner. Nearly 600 postcards were mailed and distributed across the area.

When it came time for the public hearing, RRRRA carefully planned who would speak, making sure a few experts testified about the negative effects of CAFOs besides concerned community members. The hearing was significant because it would provide information for county board members to consider before they voted on whether to issue a non-binding recommendation to approve construction of Shamrock Acres. We knew that the facility could still be approved by the IDOA even if the county board voted against it, but we also knew that a vote against us could curtail our momentum and diminish public outcry against Shamrock Acres. So we prepped hard. Hours slipped by on conference calls with environmental groups such as ICCAW and Prairie Rivers Network to select and organize the experts. Even more hours were spent during balmy summer evenings at the park where we determined who would say what and when they would say it.

We gathered around dining room tables and, between sips of coffee, created detailed packets for the board members that explained how Shamrock Acres' application failed to meet the eight siting criteria specified in the Livestock Management Facilities Act.<sup>2</sup> The local township assessor discovered how tax abatements for Shamrock Acres would lead to minimal revenue for McDonough County, and the local road commissioner calculated the increased costs of road maintenance and how the facility's additional traffic would violate siting criteria. The frightened faces that filled the township garage in May were now determined and defiant. We united against Shamrock Acres, and we united the larger community. By July, RRRRA grew from a group of 30 to a group of more than 250 members and supporters. We were democracy in action.

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While RRRRA was a very organized group, the fight was difficult. The CAFOs that encroach upon communities are supported by an industry that has substantial wealth and lobbying power, and the laws that regulate this industry are lax. Illinois, for example, does not require water permits for a CAFO until it has been caught illegally discharging pollutants (even if it is owned and/or operated by a

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<sup>2</sup>For CAFO construction to be approved, the LMFA requires that eight siting criteria be met. A list of the criteria can be found on the IDOA's website (<http://www.agr.state.il.us/Environment/LMFA/index.html>).

corporation with a history of pollution). Most CAFOs are also not required to develop disposal plans for the vast amounts of manure and dead carcasses produced at the site. As a result, the public has no idea how a proposed facility will manage its waste. In our case, the IDOA refused to produce 33 documents and blueprints that showed the design and exact location of Shamrock Acres, making it even more difficult to gauge the potential severity of the facility's damage to the local environment. One RRRA group member sued the IDOA for violating the Freedom of Information Act and, after months of intense legal battles, won. However, the documents were not available until long after the public hearing was over and the county board cast its vote.

Even without the documents, RRRA knew the waste potential for Shamrock Acres was enormous. Experts projected that the hog confinement would produce more than six million gallons of manure per year, an amount comparable to the waste produced by all of the humans living in McDonough County (IDOA 2011a:186; IDOA 2011b:259). What concerned RRRA even more was that PSM, the corporation behind Shamrock Acres, bore a legacy of pollution. Through careful research, we discovered that PSM had been sued by the Illinois Attorney General for pollution at ten of their facilities. Their alleged violations included the open burning of medical waste and dead hogs, purple discharge seeping from dead pigs into a water body, discolored lakes reeking of hog manure, and an astounding 90,000 gallons of waste leaking into a creek (Illinois Pollution Control Board 2010). The landowner who proposed the facility also had a troubling history. In August 2011, he received an Illinois Environmental Protection Agency (IEPA) notice of pollution violations from his cattle operation near Sugar Creek, a place where I spent much of my childhood, as did his own children. We'd wade through the water of its tributaries, look for rocks, and watch pond skimmers skirt across the glimmering surface. I even brought my high school ecology class there to observe the environment, though admittedly most of our time was spent splashing each other. I would not dip a toe in that creek now. It has been listed by the IEPA as "highly polluted" with fecal coliform, a type of bacterium found in manure (IEPA 2012). Yet despite PSM's and the landowner's blatant disregard for the environment, there is absolutely no law in Illinois that prevents or even delays a serial polluter's construction of a massive factory farm.

Though the CAFO industry enjoys minimal environmental regulations, it continues to push for strict laws that punish whistleblowers who document the abuses that occur in livestock production. In 2002 agricultural industry lobbyists in Illinois pressured state legislators to make photographing CAFOs illegal (Thu

2010), and a similar bill resurfaced in 2012. While both bills failed in Illinois, “ag-gag” bills in Iowa and numerous other states have recently passed. In 2012 Iowa Governor Terry Branstad signed into law a bill that criminalized undercover videos and photographs of CAFOs—a major victory for agriculture lobbyists (Office of the Governor of Iowa Terry Branstad 2012).

“Big Ag” has incredible lobbying power that is largely funded by mandatory fees charged to farmers. Under the federal Pork Production, Research, and Consumer Education Act of 1985, hog producers pay 40 cents out of every \$100 of value when pigs are sold—a practice that is part of the “pork checkoff system” (Thu 2010). This money supports the promotion of pork and lobbyists such as the Illinois Pork Producers and the Illinois Livestock Development Group, the group that pays the salary of the man who interrupted RRRRA’s initial May meeting.

The pork industry’s propaganda is widespread. On PSM’s website, there is a picture of a company representative reading a storybook called *Producers, Pigs, and Pork* to elementary students in area schools. PSM describes the book as “a visually appealing, illustrated story of a boy’s visit to a modern swine production facility” (Professional Swine Management 2013). A member of RRRRA who owns a small daycare requested a copy from PSM and received an elaborate teaching guide that included the book, two DVDs, lesson plans, “pork puzzlers” game sheets and coloring pages, and even a “Kid’s Pork Cookbook.” The storybook centers around two children named Billy and Sarah who tour Mr. Jones’s “farm,” a large hog confinement. The book claims that the facility contributes to the local economy by hiring workers and, as Mr. Jones explains, “support[ing] local business when I buy supplies in my hometown- ordinary things like light bulbs, cleaning products, and even groceries for my family. Our local businesses depend on each other” (National Pork Board 2008). In reality, CAFOs are run by a small staff that works for low wages, and many of their supplies come from sources outside the community. Even if a CAFO owner bought light bulbs, cleaning products, and groceries from a local store, these modest purchases hardly offset the immense road damage, plummeting property values, and environmental and social destruction caused by these operations.

Large glossy pictures of pigs in spacious pens frequent the pages of *Producers, Pigs, and Pork*, supporting the book’s claim that pork producers are concerned with animal welfare (National Pork Board 2008). Confining pigs to a life in a windowless cage is heralded as a “clean” and “comfortable shelter” with “big fans to circulate fresh air and keep the pigs comfortable” (National Pork Board 2008). The book fails to mention that if the air inside the CAFO were not pumped outside, the pigs (and

the workers) would quickly die of carbon monoxide, hydrogen sulfide, and other noxious gasses wafting up from the massive manure pits below the floor. It also glosses over the controversial gestation and farrowing crates that trap a sow in a space that is barely wider and longer than her body to prevent movement. These crates, particularly the gestation ones, are so inhumane that McDonalds and many other food companies no longer purchase pork from producers who use them (Humane Society 2012), yet the book cheerfully calls these cages “farrowing stalls” that “protect piglets from injury and allow the sow to safely feed her piglets” (National Pork Board 2008).

The story further asserts that “pork producers and veterinarians make sure the pigs need only occasional treatment with medicine” (National Pork Board 2008). To most people, antibiotics are considered medicine, but it is standard practice for CAFO operators to incorporate antibiotics into the animals’ feed and/or drinking water to prevent disease. In fact, nearly 80 percent of the antibiotics sold in the United States are administered to livestock (Food Safety News 2012). This practice has drawn so much criticism from doctors and health organizations that the Food and Drug Administration (FDA) recently recommended that antibiotics only be used to prevent or treat diseases and not to promote an animal’s growth or make feeding more efficient (FDA 2012). According to *National Hog Farmer* magazine (2012), the American Farm Bureau opposes FDA proposals to limit the use of antibiotics in CAFOs. Clearly the industry’s idea of “occasional medicine” is at odds with the FDA.

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The agricultural industry works to quiet public outcry. In RRRRA’s struggle, our opposition constantly tried to silence us. Reputations, livelihoods, and beloved pets were threatened, while nasty and divisive rumors circulated throughout the community. More than twenty of my father’s hay bales were mysteriously burned, and other members who raised cattle were threatened with below-market-value sale prices for their animals at local livestock auctions.

The Livestock Lobbyist portrayed our group as “anti-agriculture,” although several of our members are farmers. He also called multiple RRRRA members and bullied them (including me while I was at work). The Livestock Lobbyist told one RRRRA member who sells corn and soybean seeds that if he stayed active in the group, his name would be put on an “anti-agriculture” list and his business would

suffer. Thankfully, that member was not intimidated and remains an active member in RRRA, along with his wife.

Unfortunately, the bullying, threats, and character assassinations were not the only obstacles we faced in this democratic process. RRRA thought that the public hearing was a place where citizens could state their concerns and ask questions about the facility, but we quickly realized that the structure of these hearings privileges the voice of industrialized agriculture and attempts to silence those who oppose CAFOs.

After receiving our petition, the McDonough County Board requested that the IDOA hold a hearing, and the IDOA scheduled the meeting for July 12<sup>th</sup>. It was an awful date for us. Two of our experts were unavailable that day, and a county board committee meeting was also scheduled for that night. We wrote the IDOA and requested that the hearing occur on a different date so that our experts and all the county board members could attend. The IDOA refused. Despite the widespread interest in Shamrock Acres, the IDOA also chose to have the hearing at the local university's movie theater in the student union—a space that holds only 164 people. Consequently, more than fifty people had to stand during the hearing, dozens filled an adjacent room, and many more were turned away at the door.

The hearing, which lasted four and a half hours, gave three Shamrock Acres representatives two hours of uninterrupted time to present their case. The Livestock Lobbyist made sure to use all of his allotted time so that there would not be an extra minute available for anyone opposed to the CAFO to speak. He prattled about domestically produced animal protein sources, showed pictures of free range pigs from the 1950s, and emphasized his fondness for the pork tenderloin sandwiches available at a local gas station—it was an absurd and lengthy monologue that resulted in public testimonies being limited to only two minutes per person (IDOA 2011a:39-51). The public question portion of the hearing was also cut short, leaving dozens of questions unanswered.

The McDonough County Board had until August 23, 2011 to issue a recommendation to the IDOA but was scheduled to vote on Shamrock Acres on July 20<sup>th</sup>. We knew the odds were against us because many board members, including the chair, had an economic interest in “Big Ag.” (One particularly vocal board member later constructed his own CAFO.) Still, RRRA hoped that when presented with additional information, these board members might change their minds. We asked the board to delay their vote until they received copies of the facility's blueprints that the IDOA withheld in violation of FOIA. The chair of the

board, who possessed the sole power to schedule the date, unilaterally refused our request.

Through a tip, we learned that a representative from PSM was scheduled to speak about the “economic benefits of CAFOs” on the day the board was to vote on Shamrock Acres. We called the board’s secretary and asked to be given equal speaking time. We did not get to speak before the vote, but fortunately, the PSM representative did not get to either—their presentation was rescheduled to another date. Still, it concerned us that the chair insisted that the board vote on July 20<sup>th</sup> even when there was an apparent conflict of interest.

A few days before the vote, a handful of board members made their way down winding rural roads and visited the cornfield intended to become Shamrock Acres. The landowner had invited them to visit the site. One RRRRA member, who owns an adjacent farm where he hoped to build his retirement home, attended and reported what he witnessed. There were balloons. There was food. There was the Livestock Lobbyist.

There was also an official from the county courthouse, a friend of the county board chair, who had not testified at the public hearing. At this party, the official stated that our township assessor’s testimony, which showed the minimal tax benefits of Shamrock Acres, was incorrect. The official, however, was not affiliated with the McDonough County Assessor’s Office and had no qualifications or experience that made her a reliable source.

Most of the board members who attended this party voted for the facility on July 20<sup>th</sup>. The board deadlocked: nine members voted against Shamrock Acres, nine voted for it, and two members abstained. One of RRRRA’s ardent supporters was out of the country at the time of the meeting and was unable to vote. His vote would have tipped the scale in favor of RRRRA and the community it sought to protect. Meanwhile, RRRRA secured pro-bono legal representation by Washington University’s School of Law’s Interdisciplinary Environmental Clinic and joined forces with Prairie Rivers Network’s legal team. Law students and their faculty supervisor interviewed residents and prepared for a possible legal battle. Days dragged by as RRRRA anxiously waited for the IDOA’s response scheduled for September 7<sup>th</sup>. When that morning finally arrived, the IDOA had not yet decided. By noon, the message was the same. Then, by late afternoon, we received news: the IDOA did not approve Shamrock Acres’ application and instead requested more information for five out of the eight siting criteria. This was a significant decision and the best outcome we could hope for. The IDOA has never rejected an application. At best, the department requests additional information until the

application either meets the guidelines or the applicant tires of the process. This practice was confirmed by Warren Goestch, Bureau Chief of Environmental Programs for the IDOA, who explained at the July public hearing, “the way the statute is written, we really don’t deny a project. We just wear people out . . . There have been some projects that were not able to meet all eight siting criteria, and they have gone away” (IDOA 2011a:83–4).

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I am happy to report that Shamrock Acres did go away. After months of anxiety and weekly check-ins with the IDOA to see if Shamrock Acres submitted the required information, the facility’s application expired on June 10<sup>th</sup>, 2012. However, CAFOs continue to threaten McDonough County. South Morgan Acres, another PSM 18,220 head hog confinement, is currently being constructed in the northern part of the county along with several other smaller facilities.

The encroachment of CAFOs upon rural America will continue if there is a market to support them and a lack of enforced regulations to protect the public. Farmers who purchase CAFO manure to fertilize their fields are complicit in this intrusion as is the suburban soccer mom who buys \$1.99 per pound pork chops for the neighborhood barbeque. This meat and manure come at a high cost to the communities that house industrialized animal factories. As one exhausted RRRRA member tearfully told me, “This has changed my life. I do not feel safe. There’s a black cloud that lingers over me and my community with the constant threat of another CAFO.” Whose community is next? How many more natural resources will be destroyed and animals mistreated to ensure profit for a few? The struggle against industrialized agriculture is difficult and often overwhelming, but public awareness of and sentiment against factory farms is changing the market. And so the fight continues.

#### AUTHOR BIOGRAPHY

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