



League of Women Voters of Minnesota Records

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THE LEAGUE
OF WOMEN VOTERS®

MINNESOTA

Antibiotics and Livestock: Public Policy and Public Health

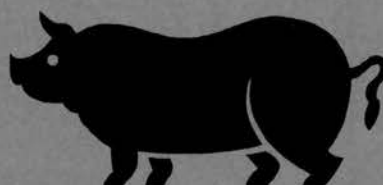
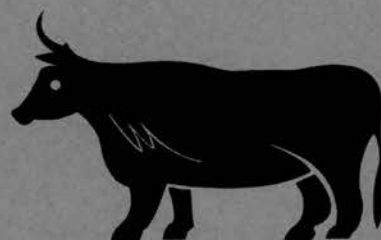
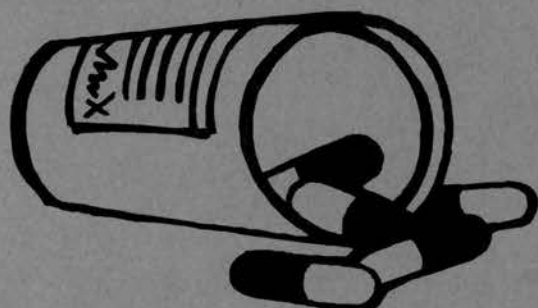
A panel discussion representing public health,
veterinary science, farming, the feed industry,
and state legislature.

**Saturday, May 18, 2002, 10am-12pm
Malcolm Moos Health Sciences Tower,
University Hospital**

515 Delaware Street SE, Minneapolis

(Main entrance on Washington Ave between Harvard and Church Streets SE)

Presented by the League of Women Voters of Minnesota.
Open to the public.



Don't forget goodwill offering!

UCS:

Tetracycline, penicillin, erythromycin used. Given thru their lives.

Ag accounts for 40% of a-b sold in U.S.

Industrial livestock systems hog heaven for resistant bacteria.

WHO, CDC, AMA, NEW ENGLAND JOURNAL OF MEDICINE, AMER.

COLLEGE OF PREVENTIVE MEDICINE, AMERICAN PUBLIC HEALTH

ASSOC, ALL HAVE SIMILAR POSNS: GET A-BS OUT OF HEALTHY

ANIMALS.

Start the campaign by reducing non-essential use of a-bs. have called for an end to the use of a-bs for growth promotion of drugs used for treatment of human diseases, or related drugs.

UCS working to reduce a-b use.

EU has banned nonther. Ag. Use of abs that are impt in human medicine—penicillins etc. US uses these, enormously.

Use has risen about 50% since 1985. Greatly up in poultry.

In swine, reliance on tetracycline-based products.

Q: WHAT ABOUT ACCESS TO INFO? HOW FIND OUT ACCURATE MEASURES FOR WHAT IS USED? WHY THE HUGE DIVERGENCE IN STATISTICAL MEASURES OF A-B USE? CAN WE GET GOOD INFO FROM AG. AND PHARMACEUTICAL INDUSTRIES? IS THE FDA DOING ANYTHING? USDA? WHAT ABOUT THE US GOVT'S CALL FOR ESTAB. OF A MONITORING SYSTEM...ETC.?

Q: WHERE ARE WE WITH FLUOROQUIOLONES (USED FOR POULTRY)—SIGNS OF RESISTANCE IN HUMANS—US GOVT SUPPOSEDLY BANNED IN 2000.

Q: WHAT DO YOU SAY TO THE FACT THAT THE CDC HAS CONCLUDED THAT IN THE us A-B USE IN FOOD ANIMALS IS THE *DOMINANT* SOURCE OF A-B RESISTANCE AMONG FOOD-BORNE PATHOGENS?

Q: ISN'T IT TIME WE PAID THE REAL COST OF MEAT? A-BS MAKE ANIMALS MORE EFFICIENCT AT PRODUCERS OF MEAT, BUT AT A SERIOIUS COST TO SOCIETY. ALSO, JUST HOW EXPENSIVE WOULD IT BE TO REMOVE A-BS? ESTIM. \$5-10/YR PER CAPITA (Natl Research Council)

To the Editor
Minneapolis Star-Tribune
June 3 2002

Your May 18 editorial "Antibiotics: Doom looms, but do Americans care?" was timely and important. The problem of antibiotic resistance clearly requires public attention: it was with this in mind that the League of Women Voters of Minnesota presented a public forum (also on May 18): "Antibiotics and Livestock: Public Policy and Public Health." Six panelists—a hog farmer, a University veterinarian, a legislative analyst, a specialist in public health policy, and representatives from Cargill and the Minnesota Turkey Growers—discussed the issue of using non-therapeutic antibiotics (primarily for growth purposes) in livestock. The discussion revealed how serious and multifaceted the issue is. More light needs to be thrown on this subject as citizens and governments grapple with the phenomenal changes in agriculture, the shrinking economic world, and the ethics of how we treat air, water, land, and animals—as well as ourselves.

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Action Chair
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MINNESOTA FARMING 2000

A Report of the Agriculture Study Committee of the League of Women Voters of Minnesota

INTRODUCTION: CHANGES IN FARMING

It is a truism to say that farming is changing. Farming has been changing for decades. But it is the accelerating pace and the profound nature of the current changes which have caught the attention of the public.

One indicator of change: The percentage of families earning their living from the soil has dropped steadily since the mid-1930s (LWVUS 8). In Minnesota from 1980 to 1995 the number of farms decreased by 20%, with about 5% of state citizens living on farms in the early 1990s (Minnesota, Corporate Farm Task Force 24; von Sternberg A30). "Currently, Minnesota is losing approximately four farms a day. These are mostly small, family-run farms" (MPCA, *Feedlot*).

This decline in small and medium sized farms has been caused by many factors: droughts, large farm loans, poor harvests, over-abundant harvests, low commodity prices, U.S. grain embargoes, restricted opportunities to market crops, increased production in foreign countries, young people unwilling or unable to enter the business, policies and laws that benefit big producers more than small producers, economic advantages of scale.

Nevertheless, economically, agriculture is still very important to Minnesota. The state is seventh in the nation in income, \$8.2 billion, derived from agriculture (Minnesota, Dept. of Agriculture. *Producers' Guide* 3). One-third of rural jobs are directly affected by agriculture, while 22% of all state jobs are in some way involved with it (Minnesota, Dept. of Agriculture. *Agricultural Profile* 1). The present study represents an effort to understand the impact of agricultural policies, regulations and practices on the long term health of agriculture and rural communities.

BACKGROUND

What is a farm?

Family farm. Commercial farm. Small Farm. Corporate farm. Hobby farm. Minnesota farms vary greatly, as does the terminology applied to them.

A land holding is considered a "farm" in Minnesota if it has a gross agricultural income, including government payments, of at least \$1,000 (Minnesota, Dept. of Agriculture. *Agricultural Profile* 1). The federal government has for statistical purposes divided farms into three groups: 1) large operations, grossing \$250,000 or more per year, 2) medium-sized farms, grossing from \$100,000 to \$249,999 per year, and 3) hobby farms or small commercial farms, grossing \$100,000 or less in farm income (U.S., USDA 29).

The National Commission on Small Farms, in the USDA report *A Time to Act*, categorized all farms with gross receipts under \$250,000 per year as "small farms." Under that definition small farms comprise 94% of all farms in the U.S., represent 75% of total productive agricultural assets (mostly in land), and account for 41% of total agricultural earnings (U.S., USDA 28).

The "average" Minnesota farm in 1998 contained 361 acres and grossed \$119,420, with a \$15,754 net return ("Rural" 4A). This portrait is derived from a large number of very small farms with gross incomes from agriculture of \$50,000 or less, a significant number of farms with gross incomes up to \$250,000 per year, and a small number of farms with gross incomes of \$250,000 or more a year. At present there are 81,000 farms in Minnesota, covering, in 1998, 59% of Minnesota's total land.

In the United States as a whole approximately 6% of farms earn almost 60% of agricultural income (U.S., USDA 28). In Minnesota around one fourth of the largest farms are at present responsible for 80% of the state's agricultural output (Runge).

Who is farming?

As of 1992, 90% of Minnesota farms were held in individual or family sole proprietorships, a very high level of independent ownership (Minnesota, Corporate Farm Task Force 22).

In addition, there are family farm corporations, along with authorized farm corporations and partnerships. Some farmers are forming cooperatives--not for grain elevators or electric power as in previous times, but for making ethanol out of corn, processing soybeans into products, canning local vegetables, or raising hogs.

Hobby farms may be operated by a transplanted urban family living on a farm and growing a garden, caring for horses and chickens, maybe working a small field or two. Other small farms may be operated by farmers who live entirely on the income of their farms. Some of these constitute a segment of the rural poor. They may be old or be young parents (or a single parent). Perhaps they live on a reservation and have substandard land. Almost certainly they do not have a cushion of capital.

Some farmers also work off the farm, sometimes driving many miles back and forth to work because their immediate rural area has few off-farm jobs. Somewhere between 40 to 60% of family income for these farms comes from off-farm employment.

As existing farmers grow older and retire, fewer farms are being passed along to the next generation. (The average age of commercial farmers in Minnesota was 50 in 1998 (Minnesota, Dept. of Agriculture 3)). Some young people, of course, want non-farm careers, but it may be difficult for even young people interested in farming to inherit family operations, despite years of "sweat equity," because of high taxes, high prices for land, or their parents' lack of financial security for retirement.

Making a living

Historically, the average farmer's income has been below that of the average city dweller (LWVUS 11). According to a recent study by the Center for Rural Affairs, for the years 1988-95, in the six Midwest states studied (which included Minnesota), one out of three households in rural counties made less than \$15,000 a year. In the same region's cities one of five households had equally low incomes ("Rural Areas" 1A). It is not unusual for a farmer to gross \$200,000 in farm income, but to be left with \$15,000 to \$18,000 for the family to live on for the year (Hanners 6A).

There is a saying about farmers: They are the only businesspeople who buy retail and sell wholesale. This may apply to other businesses as well, but it is true that farmers need to purchase many things to conduct business--seeds, fertilizer, machinery, agrochemicals, animal feeds, antibiotics--and these items are expensive. They need to borrow to buy machinery or to put in a crop, and they need to finance buildings for their livestock and their grain storage. Yet when it comes time to sell what they produce, they may have to sell it cheaply. For example, in late 1988, it cost on average \$100 to raise a 250-pound pig--a pig that sold for \$20. A bumper crop of corn can cause the selling price to fall below production costs.

Farming is a risky business, and always has been. There is always the weather to frustrate farmers. If it is too wet, they can't get into the fields to plant, or they get the crop planted, but then it rots in the ground. If it is too cold, the seeds do not germinate, or after they germinate the plants are killed by frost. If the weather is too dry, the crop does not grow, or it grows poorly, and there is not enough hay for the animals. Hail may come and destroy farmers' crops. Disease may hit, such as the wheat scab of the Red River Valley in recent years. Even floods are a possibility.

These days, too, farmers are competing in a global market, and one in which, for the past few years, there has been a combination of excess supply that pushed commodity prices down, and Asian and Russian financial crises that reduced the market for both grain and meat (Zielenziger 5). In the global marketplace some countries can produce goods at a lower price than the United States in part because they impose fewer environmental restrictions. Others, like the European Union countries, place restrictions on imports. Wage disparities from country to country are wide, and are affected by currency exchange rates, differences in labor laws, and local cost of living.

Getting bigger

To raise anything at all, of course, farmers need land, long the largest capital expense in agriculture. There have been pressures to get bigger, to own more land, since at least the end of World War II. At that time, when manufacturers no longer needed to produce war machines in great numbers, they turned to peacetime uses for their industrial capacity, including production of large, specialized farm equipment. This equipment became available at the same time as pesticides and herbicides that made it easier to control insects and weeds, and chemical fertilizers that increased yields. Fossil fuel was also cheap, so it could be used to make these chemical products as well as to power farm vehicles.

Farms were thus able to grow larger, amortize the cost of machinery over a larger crop, and still be worked by the same number of people, or even fewer. In some ways this became a cycle: more land required more machinery, and more machinery needed more land to justify its expense.

This push to get bigger continues today, driven in part by the global economy. As some farmers have taken on more and more land and turned increasingly to mechanization and technology to help them handle the work, they have borrowed money to expand. What happened in the early 1980s provides an example of the risks in so doing. From 1975 to 1982, as farmers attempted to modernize their equipment and add land to their holdings, total U.S. farm real-estate debt doubled. Banks encouraged borrowing, and the price of land shot up. By the early 1980's interest payments on debt exceeded net farm income (Ritchie and Ristau 7).

On Oct. 6, 1979, the Federal Reserve raised the cost of borrowing money, attempting to control inflation. This had immense consequences. From 1981-1986, the value of U.S. farmland fell more than 40% in the Midwest and Plains states. In addition, land, which was being used as collateral on the farm loans, was suddenly not worth what it had

been a short time before, and farmers found themselves vastly overextended in the eyes of their lending institutions. Despite government bailouts and loan forgiveness, numerous farms failed, as did many small town banks.

Renting land enables some farmers to gain the benefits of size without the burden of debt. Frequently, however, competition for land produces high rents, which can be fixed at the beginning of the season--long before anyone knows what the crops will be like or what price crops will bring. As a recent farm study in southwest Minnesota revealed, rural landlords can make more money than can the farmers to whom they rent (Levins, *Swift* 5).

Coping strategies

Many farmers have taken steps to improve their operations. They have studied agriculture at technical colleges and universities, read farm publications, talked with extension agents, made farm financial plans, purchased a computer, put their records on it, and hooked up to the internet to get the most recent farm information. Perhaps they have an accountant and a lawyer. In many cases both husband and wife are deeply involved in the business of the farm.

Factory farming

Some farmers have turned to economies of scale. Beginning in 1970, when Congress, at the urging of agribusiness and pharmaceutical companies, passed legislation excluding farm animals from the Animal Welfare Act, farmers began raising large numbers of chickens or hogs in a small space. These large animal-confinement operations, or factory farms, put as many as 12,000 pigs or 100,000 egg-laying hens together in a single building under controlled conditions (Adcock 1-5).

Industrialized animal agriculture began with chickens and spread to cattle, which no longer went from pasture to slaughter, but were shipped to distant feedlots where they were fenced together by the tens of thousands, feeding intensively in preparation for slaughter. In Minnesota the decade of the 90's saw rapid growth in large animal feedlots, particularly swine facilities. From 1964 to 1997, the number of swine in Minnesota increased from 3.4 million to 5.5 million, while the number of farms decreased from 55,000 to 10, 800 (Minnesota. Office of the Legislative Auditor).

Such practices have yielded a uniform product at low costs for the consumer while maximizing efficiency, productivity and profits for corporate agriculture. The intense confinement of animals, however, is considered by its critics to be both cruel and unhealthy for the animals. Moreover, human health may also be endangered by factory farming practices: Industrial-style farms increase the risk of water pollution, and may yield noxious if not toxic air in their vicinity.

Sustainable farming

Some farmers have turned in another direction. They have attempted to earn at least a partial living with sustainable agricultural techniques--techniques that do not require massive amounts of fertilizer, insecticides, and herbicides, techniques that can result in up to 35 times less soil erosion and contamination runoff from pasture land. Such practices also reduce the use of petroleum and single-purpose machinery.

Sustainable farms generally are diverse operations, with a variety of crops and animals. In a sense, sustainable farmers have gone back to the best of agricultural practices from the first half of the 20th century and continued to add to that knowledge with new techniques, growing perennial forages and grasses, diversifying and rotating crops.

They are raising free-range chickens, small numbers of hogs (perhaps 50) living outdoors, and moderate numbers of dairy cows (maybe 50-60) that are allowed out to pasture when the milking is done. Hoop housing (a special method of housing hogs that involves outdoor shelters and plenty of straw), controlled pasture grazing, and other such "natural" methods are used by these farmers.

It has been established that sustainable operations can be efficient and productive. In recent years, the problem has been finding a profitable market for these operations, because they tend to be small, whereas traditional buyers generally want to buy from large producers. However, there are niches for sustainable farmers, such as organic

products, and animals raised for antibiotic- and hormone-free meat. As consumer demand for these products has increased, for some farmers sustainable methods have proved profitable.

Contract farming

Yet another means of coping with the changing nature of farming has been for farmers to enter into contracts with large companies, contracts in which the farmers agree to grow the companies' chickens or hogs, or to sell fruits, vegetables, and grains to them. It is estimated that nationally about 90% of the chicken industry is under contract, 65-70% of the hogs, about 40% of the fruits and vegetables, and approximately 10% of the grains ("Contracts" 11). Dairy cow operations are not under contract yet, but Gene Hugoson, Minnesota Commissioner of Agriculture, believes a lock-in price will also become common for them in the future (Nistler 18).

The majority of the contracts, called marketing contracts, specify simply that farmers deliver a certain quantity and quality of produce to the buyer on a certain date for a specified price or specified price range, depending on quality. If farmers lock in a price that assures a fair profit and an amount that they can deliver, such contracts can be helpful, giving farmers some assurance of the price they will receive for what they produce. Also having a contract may help farmers borrow money from the bank to produce their crops.

If, however, they have a poor harvest and cannot deliver as much as they have contracted for, they may have to purchase whatever is contracted for from others to satisfy the agreement, perhaps at a significantly higher price than they are going to be paid.

Under another legal agreement, the production contract, farmers raise animals or fowl for a big company. The farmers finance and construct new buildings to the company's specifications, raise livestock by the company's methods, feed and vaccinate by the company's plan (perhaps using the company's feed and medications). Then at a specified time, the chickens, turkeys or hogs are delivered to the buyer for the price in the contract. Sometimes producers are paid a bonus if the quality is particularly high. The buyer does all weighing and grading.

Dick Gladly, chief economist and vice president of public affairs for ConAgra, a large agribusiness based in Omaha, Nebraska, cites the potential advantages of contracts for his company. With production contracts, his company can control the type of animals they are getting, making for a uniform product (lean breeds of hogs, for example), and they know that on any given day they will have enough supply to keep their large packing plants going. They also know how much they will have to pay the farmers and can more easily make the financial calculations necessary to running a successful business (Nixon 12).

For the farmer, a production contract means--for the duration of that contract--an assured buyer and price for the livestock he raises. But it also means dependence on continuing contracts to help pay off loans for building the necessary chicken or hog barns and the risk that the company will withdraw from an area whenever it is a good business decision to do so. In 1997, for example, the Campbell Soup Company closed its chicken processing plant in Worthington, leaving 36 area contractors with half-paid-for barns and no chickens to raise (De Vore 10). A final disadvantage is that under most production contracts the farmers have no rights to question the companies' assessment of quality. There is no governmental oversight.

Rural communities

Both Minnesota policy and public opinion value rural communities and their way of life. The emphasis on preserving family farms is partly historical, stemming from the belief that a nation of small landowners is a healthy society, where families can feed themselves, sell some of their produce to others, and live a good life. The early colonists came from Europe, where large landowners controlled the means of production, and where nearly everyone else was a serf, artisan, small shopkeeper, or household help. Early political leaders saw this idea of wide land ownership as a means of promoting democracy.

Yet many rural communities are going through very hard times. For one thing, out-migration is increasing, an effect evident in the 1980s, when non-metropolitan counties lost an average of 11% of their population; among 18-34 year-olds, the loss was 17% (Amato 39-40). Businesses have been abandoned or moved elsewhere; schools have closed or consolidated. Though some counties showed a little growth in the 90s, the projections are for continued decline

in counties outside the Twin Cities suburban area (Minnesota, Minnesota Planning). It will take some major changes for many rural communities to become good places to live again.

One group less likely to leave the small town is the retirement-age population. Although some older people choose to move to warmer climates or more urban locales, many do not. From 1980 to 1990, this population grew 18 percent in rural areas and only 15 percent in metro areas. It is projected that this group will continue to grow faster in the rural areas than in the metropolitan areas, with a concomitant need for services such as transportation, health care, senior housing, social services, and long-term care. Yet the tax base to provide them is decreasing (Minnesota, Minnesota Planning).

Most rural counties' gross income used to come largely from agricultural sources; today, however, agriculture provides only a small percentage of county income. A study in Swift County provides one example: In 1975 farmers and farm employees earned 30 percent of the total personal income for the county. In 1995 it was 1.63%. (Levins, "Swift" 3). The picture is similar for many counties. Even in good years much of the money farmers receive leaves the county to pay seed companies, landlords, equipment dealers, and chemical companies beyond the borders of the county. As farms become larger, this trend is exacerbated. In 1991 University of Minnesota economists John Chism and Richard Levins found that the percentage of money spent within a twenty-mile radius of the farm declined dramatically with an increase in the size of the operation (Chism 2-3).

Additionally, as large corporations take over the food industry, farmers and middlemen see the disappearance of agricultural institutions: livestock auction barns shut down, local grain elevators closed, local slaughter plants empty. Creameries leave, while small vegetable factories shut their doors. Much of the local market that farmers once depended on vanishes, leaving only a few customers for the farmers' products.

Economist John Ikerd says that "on balance, industrialized livestock operations destroy more jobs than they create. Different studies report estimates of from 1 1/2 to 3 jobs lost for every job created" (Ikerd 4). New industries wishing to come into the rural area--industries like large industrialized farms, food-processing plants, or slaughter houses--are, unfortunately, likely to offer jobs at low wages under poor working conditions. These businesses, desiring numerous low-paid workers, may recruit immigrant workers, who now constitute 10 to 20 percent of the population in some counties. Over 20 languages, for example, are spoken in Pelican Rapids, a community of 1,800 (League of Women Voters of Minnesota 41).

The influx of these immigrant groups into low-paying jobs, combined with the increasing proportion of older citizens, increases the need for educational and social services at the same time as fewer businesses and residents are left to pay for them. In addition, the communities must continue to provide clean water, good roads, and proper garbage and sewage disposal.

The Internet may also have the ability to drain dollars away from local business. Almost anything can be purchased there, even farm products such as animal feed, fertilizers, chemicals, and seeds. On the other hand, technology could be an answer to the problems of rural communities. People could live in country areas and, through the Internet, do their business, take their college courses, and communicate with others. The rural villages could become as global as the largest urban center.

Agriculture and the environment

Agriculture can provide benefits to the environment such as enhanced soil and water quality, green corridors for rivers, habitat for wildlife, and beautiful landscapes. But while many farmers are good environmental stewards, others employ practices which cause, for example, contamination of water and erosion of the soil; in the past many filled in wetlands, a practice which we now understand can have harmful consequences for the entire environment.

The rapid increase in industrial agriculture in Minnesota has focused attention on the relation between farming and the environment, particularly agriculture's effect on water and air. In 1998, as a result, the Minnesota legislature created a task force to prepare a Generic Environmental Impact Statement on Animal Agriculture (final report expected in 2001). A background report on water prepared for this task force provides this assessment:

In Minnesota, about 60% of the surveyed or monitored rivers and streams, and 17% of the surveyed or monitored lakes were classified as being impaired. Agriculture was identified as the cause of 90% of the impaired river miles, and 64% of the impaired lake areas. It is unknown to what degree various types of agricultural activities . . . caused the impairment. In the Minnesota River basin, it is estimated that from 50-100% of the assessed tributary river miles . . . do not adequately support aquatic life. . . . (University G/5)

The environmental effects of Minnesota agriculture go well beyond our state's borders. Nutrients from farm runoff--from the monoculture farming of corn and soybeans and from animal waste--are linked to the formation of an approximately 7,000 square mile "dead zone" in the Gulf of Mexico, an area of low oxygen where aquatic organisms cannot survive. According to the U.S. Geological survey, 1.7 million tons of nitrogen are flushed down the Mississippi into the Gulf each year, 6-8% coming from Minnesota (Meersman 18).

The increase in factory farms has enormous implications for both water and air quality because it means large concentrations of manure. According to the Minnesota Pollution Control Agency, Minnesota's estimated 45,000 feedlots produce animal wastes that exceed the amount of human waste produced by a population of over 40 million people (MPCA, *General*).

Manure is a valuable resource when applied to the land appropriately. But it can become an environmental poison when it is not carefully controlled. Because manure from large feedlot operations is typically held in lagoons (basins), which can stretch the length of one or more football fields, the surrounding environment is at risk. Lagoons may leach, rupture, overflow. A worker may fail to close a valve properly. Or the lagoon itself may be poorly constructed. There may be illegal dumping of manure. Finally, there are natural occurrences, such as floods or underground sinkholes. A recent study by Iowa State University found that more than one-third of the lagoons studied leaked beyond the amount allowed by state standards (Clean Water Network 12).

It is common management practice to remove liquid manure from a lagoon and spray it onto fields as fertilizer. However, according to a report prepared by the University of Minnesota, "if manure is over-applied, applied at the wrong time in the growth cycle, applied unevenly, allowed to experience losses in storage, handling, and application, then it can degrade water and/or air quality" (University J/6). Putting manure on the land where it cannot be absorbed causes runoff, which creates an extensive and unregulated source of water pollution.

The percentage of contaminated wells in Minnesota affected by animal agriculture is unknown, although it is known that roughly 7% of drinking water wells in Minnesota exceed the Maximum Contaminant Level set by the EPA for nitrates in drinking water (University G/ 7). Minnesota Pollution Control reports that feedlot runoff contains roughly ten times as much phosphorus as untreated domestic waste, and that only one pound of phosphorus produces over 500 pounds of weeds and algae in a lake, which depletes the water of oxygen and suffocates fish and other aquatic life. Manure poses additional problems, as it also carries bacteria, viruses, heavy metals, and other harmful pollutants.

In Minnesota, animal waste remains one of the most prevalent causes of fish kills. In June 1997, 100,000 gallons of raw manure from a hog operation in Renville County spilled into a nearby creek, killing nearly 605,000 fish (Minnesota. Dept. of Natural Resources). (The farmer whose facilities and/or procedures failed was punished by jail and a fine. The company for which he was growing the hogs, one of the nation's largest pork producers, was deemed to have no legal responsibility for the accident (De Vore 9)). Manure or feedlot pollution was responsible for ten of the 12 agriculture-related fish kills from 1995 through 1998, and led to more fish kills than either industrial or municipal pollution (Minnesota. Dept. of Natural Resources).

Agriculture's effect on air quality depends to a great extent on the area and concentration of manure. The noxious odor from large concentrations of manure is well described in the following account of a corporate hog operation in Oklahoma:

It's the ever present stench--the overpowering smell from Seaboard's 40,000 hogs closely confined in 44 metal buildings, where exhaust fans continuously pump out tons of pungent ammonia, mixed with tons of grain dust and fecal matter, scented with the noxious odor of hydrogen sulfide... (Barlett, 58).

Air emissions from feedlots also can be dangerous to health--of the animals, workers, and rural neighbors. Recently the Minnesota Department of Health linked the results of air monitoring for hydrogen sulfide at a Minnesota farm to physiological symptoms, and concluded that the monitored levels were high enough to pose a potential threat to human health (Minnesota, Dept. of Health). Twenty to 30 percent of workers in large-scale swine facilities are known to have respiratory problems (Thu 12). Exposure to high ammonia concentrations can be fatal to humans. In 1997 a link was established between waste from poultry farms in Maryland and Virginia and outbreaks of *Pfiesteria piscicida*, a toxic microbe that kills fish and causes skin irritation, short-term memory loss, and other cognitive problems for humans exposed to it. In 1993 a pathogen, *cryptosporidium*, in Milwaukee's water made 400,000 people sick and led to the deaths of more than 100 people. The suspected source: dairy manure (Duskin 14). (See also *Danger on Tap*, and Satchell, "The Cell from Hell.")

Airborne contaminants from animal agriculture, including gases, odor, dust, microbes, and insects, may be produced or emitted inside and near animal production facilities and can also drift when waste products are applied on the land. The environmental and health effects of these airborne contaminants are only beginning to be investigated. Long-term impacts on ecological systems and people are not known (University H/1).

Agriculture and food

Pesticides, antibiotics, growth hormones, and food-borne pathogens

We spend about 11% of our income for food at present, an amount significantly lower than in any other part of the industrialized world. Japan spends approximately 18%, Australia, 14.6%, and France about 15% (Minnesota Farm Bureau 1). But along with this productive efficiency come some potential risks to human health. These stem from pesticides getting into food and water, from the use of antibiotics in livestock, from administration of growth hormones to livestock, from the risk of food-borne pathogens, and perhaps from genetically modified organisms.

Ten years ago, the League of Women Voters of the United States published a Citizens Guide entitled *America's Growing Dilemma: Pesticides in Food and Water*. That study pointed out the fragmented authority of federal regulatory agencies, and questioned the effectiveness of their processes for setting tolerances, assessing risks, and enforcing regulations. To a great extent these concerns remain.

Approximately 40% of all antibiotics used in the U.S. are used in livestock. Most are used in sub-therapeutic doses to promote rapid growth. The remainder are used to prevent or treat diseases, which can spread rapidly among crowded and stressed animals.

The Institute of Medicine of the National Academy of Sciences began to question this practice in 1989. Evidence has mounted throughout the nineties that the routine use of antibiotics in livestock may diminish the drugs' power to cure infections in people, as resistant bacteria are passed on from the meat of animals to people who eat it. Health authorities, including the World Health Organization, the U.S. Centers for Disease Control and Prevention, and the National Academy of Sciences have called for banning sub-therapeutic uses of certain antibiotics with animals, as European countries have already done. The U. S. Food and Drug Administration has now begun a major revision of its guidelines regarding the use in this country of antibiotics for animals.

A further safety concern in industrialized animal agriculture is the administering of growth hormones, because long-term exposure to high residues of natural and synthetic hormones in meat products may pose risk of breast and reproductive cancers in humans (Gabler 38). Finally, food-borne pathogens transmitted from animals to humans--salmonella in poultry, eggs and meat; *campylobacter* in chicken; *E.coli* in hamburger; and *listeria* in meat and dairy products--all can result from the cramped confinement and feed contamination associated with factory farming.

Genetically modified organisms

The use in agriculture of genetically engineered, or genetically modified (GM), organisms has stirred much debate. In genetic engineering, small fragments of genetic material are transferred from one (usually unrelated) organism to another for the purpose of adding a new trait to the recipient organism. The resulting organism is called "transgenic."

All crops are in fact genetically different from their wild predecessors, through long periods of natural selection, domestication, and controlled breeding (Transgenic). Genetic engineering differs, however, from conventional plant breeding (hybridization and crop selection) in several ways: 1) there is genetic exchange between organisms that would not occur in nature; 2) the genetic engineering process introduces other foreign material (bacteria and viruses necessary to ensure successful transfer); 3) genetically engineered plants can be developed more rapidly and with more precision than in traditional breeding programs.

GM crops were first grown commercially in the mid-1990s. By 1999, almost 100 million acres world wide had been planted, the largest acreages being in the U.S., Argentina and Canada. In the United States in 1998 65% of cotton, 57% of soybeans, and 38% of corn were GM crops, followed by canola and potatoes. The U.S. and/or Canada also grow GM flax, squash, papaya and tomatoes. GM crops currently in the field-testing stage include alfalfa, apples, cucumbers, melons, rice, strawberries, sunflowers, walnuts and wheat. In Minnesota, test crops include corn, soybeans, canola, potatoes, sugar beets, wheat (Barrett 2-3).

Most GM crops have been developed for agronomic (ease of growing) purposes: about two-thirds for tolerance to herbicides such as Roundup and one-third for insect and virus resistance (Barrett 2-3). A small number of crops have been modified for quality traits such as altered oil production in canola or delayed ripening in tomatoes. Crops containing vaccines and vitamin supplements are in the wings. For example, rice is being genetically modified to include beta carotene, a precursor of Vitamin A; such "golden rice" may help millions in developing countries whose diets are based on rice and are now deficient in Vitamin A (a major cause of blindness in children (Transgenic)).

Those with doubts about genetically modified crops urge caution and more long-term study, particularly carefully controlled field study. They note that the evidence of benefits--increased yields, decreased use of chemicals, increased farmer profits--is inconclusive. USDA data from 1996-98 showed positive results in some cases and negative results in others (Barrett 2-3). Opponents also fear health problems--particularly allergic reactions--resulting from unwittingly encountering an allergen in a GM food. A project to enhance the protein in soybeans with a protein gene from brazil nuts was stopped when testing showed that people allergic to brazil nuts also reacted to the altered soybeans (Transgenic). And, opponents say, GM foods may be addressing the wrong problem. The real problem today, according to Catherine Bertini, Executive Director of the U. N. World Food Program, is not a crisis of food supply, it is a crisis of poverty, inequality and lack of access (International).

Of greater concern are potential environmental effects. Once new genes are released into the environment, there is no way to take them back. Gene transfer through pollen from GM crops to related weeds has occurred from, for example, GM canola to wild mustard, and from GM wheat to jointed goatgrass (Transgenic). Environmental scientists and farmers have identified additional concerns including eventual insect resistance; possible harm to non-target insects such as ladybugs and monarch butterfly larvae; harm to beneficial soil organisms; and the development of new plant pathogens.

Organic farmers, among others, worry about genetic engineering's use of *bacillus thuringiensis* (Bt). Bt is a self-limiting, organically approved, non-chemical alternative for insect control. Used only as necessary, Bt spray has been a very important resource of last resort for organic farmers. Through GM technology, Bt genes are now being inserted in crops such as corn, cotton and potatoes, transferring the insecticidal trait into every cell of the plant and at much higher levels than the spray. Future plans include many other crops. Such heavy use of Bt is likely to accelerate resistance in insects, thereby causing a loss of major proportion to organic farmers. Organic farmers stand to lose as well through accidental cross-pollination. Farmers who grow and market non-GM corn and soybeans lose their market when contamination from neighboring GM crops occurs.

Finally, GM technology gives rise to food security concerns among some people, in that almost all GM crops are owned by private sector corporations. Patents on GM technologies by seed and chemical companies have placed the control of crop production into very few hands. Recent corporation mergers have combined seed, chemical, processing, and pharmaceutical companies into powerful entities.

The proponents of genetic modification make a number of arguments. Foremost is that transgenic crops have the potential to feed the world without requiring additional land (such as rain forests) to be opened up to agriculture.

Currently developed GM crops, they point out, are good for the environment, in that they use a lower level of pesticides and herbicides; transgenic crops under development will increase the productivity of degraded soils. Farmers can use a variety of planting strategies to mitigate potential negative effects like cross-pollination and reduction milkweed on which monarch larvae feed. The public has been eating transgenic soy and corn products for some time and as yet no adverse health effects have been reported (Transgenic). Finally, proponents point out that the U.S. competitive position in the world as a major exporter of food products and as a leader in the biotech industry will be enhanced.

Agribusiness

In the U.S. the food business, like virtually every other industry from finance and media to computers and auto making, is increasingly dominated by a limited number of large companies. William D. Heffernan and his colleagues at the University of Missouri keep track of these concentrations. As of January 1999, four major businesses controlled 79% of the U.S. beef slaughter: IBP, ConAgra, Cargill, National Beef (16). Seventy-five percent of pork slaughter is controlled by six businesses: Smithfield, IBP, ConAgra, Cargill, Farmland, and Hormel (16). In flour milling, there are four big producers: ADM Milling Company, ConAgra, Cargill Food Flour Milling, and Cereal Food Processors, Inc. (17). (In each case the companies have been named from largest to smallest.)

Big companies also own elevators, which buy farmers' crops. Cargill is first, followed by ADM, Continental Grain, and then Bunge. According to Heffernan, four firms control processing of at least 40% of all the major commodities produced in the Midwest (2). There is concern, therefore, that not only do these companies have vast segments of individual markets under their control--produce the most chickens, slaughter the most beef cows, mill the most flour--but they also are powerful in many areas, not just one or two. They own seed corn, produce fertilizer, have interests in pharmaceutical companies, prepare food products.

These companies also aid their farm customers through marketing and risk management programs, research into techniques for greatest profitability, and development of specialty grain markets. And they earn large profits for their shareholders and private owners. According to Heffernan, the food sector is second only to the pharmaceutical sector in producing returns on investments (U.S., USDA 72). Richard Levins, an agricultural economist, comments that it is common for these large companies to earn 17-20% on their equity (their net worth) each year. In comparison, farmers during the 1990s earned 2.39% on their investment of land, machinery, livestock, etc. (Food 9).

Nevertheless, one might ask whether this field of giants is good for U. S. consumers. Heffernan says that if four or fewer firms control 40% or more of a sector of a market, healthy competition is no longer present (1). This concentration has certainly happened in agriculture, as it has in many other economic sectors, even though over the years the U.S. has enacted various laws that are designed to allow healthy competition in the marketplace; two of these most often called upon in agricultural matters are the Packers and Stockyards Act and the Sherman Anti-trust Act. Critics of the increasing concentration in our food system charge that these laws are being ignored at both federal and state levels.

Getting big is one thing that helps a company survive in the midst of other giants; mergers and acquisitions have become a familiar feature of contemporary life. The small, independent corner grocery store is almost gone, as is the independent hardware store. Kraft Foods is now a unit of Philip Morris. Such large companies require modern transportation, communication, record keeping, and accumulation of capital. They also need a global market to make a large company possible and profitable.

Mid-size farmers need global markets as well. Since this state is blessed with fertile soil and favorable climate along with skilled farmers, Minnesota produces much more than its citizens consume, and in fact today exports one-third of the wheat, one-third of the corn, and half of the soybeans grown in the state. The growing economies and populations of, particularly, Asia seem attractive markets for these products. (Currently, in order of size, our five largest markets are Japan, Canada, Mexico, Taiwan, and Korea.) Minnesota food and agricultural exports total \$12 billion (28% of our total agricultural production) and support more than 44,000 jobs (Minnesota, Dept. of Agriculture. *Agricultural Profile*; Schommer).

The global marketplace, however, can be challenging. While there are new markets to reach with a product, the competition may be intense, not only from other U.S. corporations, but also from corporations in Brazil, Argentina, France, Mexico. Risks are equally dramatic. Markets that once were good can quickly and unexpectedly dry up. A whole group of economies can go into a slump, as happened in Asia in the 90s; other countries can not only improve their ability to meet their own needs, but increase their exports, as Brazil is doing with soybeans (Zielenziger 5). The U.S. government can embargo a product for political reasons, as it did with wheat sales to Russia. Sales are also influenced by the trade barriers that still exist in the world market. Size can provide the necessary flexibility and capital to weather such sudden changes; where size does not avail, government may need to step in.

THE ROLE OF GOVERNMENT IN AGRICULTURE

Because a country's people must have food, and because farming is so risky a business, modern nations have paid particular attention to their agriculture and have taken steps to insure that it would survive. In the U.S. there have been direct payments to farmers, public research in agriculture at the land-grant universities, extension service help for individual farmers and their families, construction of roads and waterways to move food, special insurance programs for farmers, and other programs.

Besides ensuring that the United States has had enough food and Minnesota has retained its healthy agricultural economy, there have been additional goals. One has been to preserve medium-sized family farms, as indicated by the preamble to the Corporate Farm Law, enacted in 1851 by the Territory of Minnesota and revised frequently over the years: "to encourage and protect the family farm as a basic economic unit, to insure it as the most socially desirable mode of agricultural production, and to enhance and promote the stability and well-being of rural society in Minnesota and the nuclear family." This preamble is retained in the current version of the law.

In addition, the U.S. and, to a lesser degree, Minnesota have been willing to subsidize agriculture because of the importance of producing great volumes to sell abroad. A sufficient number of farmers producing bumper crops has led to low prices, allowing the U.S. to be competitive in the global marketplace. Foreign sales have been good for the U.S. as well as for farmers, who have earned 30-40% of their income in recent years from exports (Strauss 2B). Of course Minnesota, being a major agricultural state, has wanted its share of this trading prosperity.

Federal government assistance: a brief history

While weather, new technology, and market conditions are always important to farming, the federal government has also significantly influenced agriculture's fate since the depression of the 1930's. The 1933 Agricultural Adjustment Act, enacted during President Franklin Roosevelt's administration, was intended to assist farmers only during the difficult Depression period. But federal assistance has continued to this day, assistance that has always been controversial and almost always expensive.

The goals of this legislation were to increase farm income, ensure a stable and cheap national food supply, and conserve farmland. Non-recourse government loans--loans that allowed farmers to turn these crops over to the federal government if the market price was lower than the loan rate--were introduced on a limited number of crops (among them corn, wheat, rice, and cotton), providing in effect a national floor below which prices would not fall. The federal government thus acquired, stored, and eventually distributed (often to food shelves and school lunch programs) large supplies of some commodities. Control requirements--limits on what individual farmers could grow under the program--were also enacted.

This federal help was welcome relief to farmers, enabling many to remain in farming. Ironically, though, since government help was based on acreages and production, much of the aid went to the largest and most successful farmers, who were then able to buy new machinery, purchase neighbors' land, and become even more productive and more wealthy. Another effect (which continues today) was that farmers were in this way encouraged to continue growing what was subsidized, not necessarily what the market needed.

Republicans, as a group, were from the beginning extremely unhappy with Roosevelt's farm program, believing that market forces ought to be allowed to work in agriculture just as in other businesses and that the nation ought not to

be supporting farmers at the expense of the taxpayers. After World War II, when Republicans gained control of the presidency under President Dwight Eisenhower (1953-61), his secretary of agriculture, Ezra Taft Benson, retired some programs and initiated policies to encourage farmers to increase production for a world market. The government loan rate for farmers (which created the floor for domestic farm prices) was dramatically lowered, and getting bigger was encouraged. Much of the farm support program, however, was left intact.

National policy continued to encourage increased production all through the 1970s and '80s, promoting international sales, which were particularly good for the U.S. balance of payments. U.S. agriculture products enjoyed strong demand abroad during these years, partly caused by a weak dollar. Earl Butz, secretary of agriculture during the Nixon administration, advised farmers to "get big or get out." Farm income, land prices, and farm debt all escalated. Inflation ran rampant.

At the same time (1970's), Congress created a two-tier farm program, which still had a non-recourse loan program (but rates were low). In addition, Congress set a target price for specific crops and paid farmers deficiency payments (direct income supplements) when the market was below target price. Finally, in 1985 President Ronald Reagan signed a bill that basically kept the old system, although it sharply lowered the federal loan rate, and at the same time increased deficiency payments to farmers. This kept agricultural products inexpensive for the export market and the consumer. The cost to taxpayers soared, reaching \$26 billion in 1986 (LWVUSEF 5).

The following year, 1986, the Tax Reform Bill became law. Previously, non-farmers had acquired agricultural land with large incomes as a tax shelter. Tax reform repealed or reduced the tax advantages, thereby freeing up agricultural land for purchase by farmers.

The most recent major farm legislation constituted a dramatic change. Called the Freedom to Farm Act, it went into effect in 1996, eliminating federal commodity subsidies and production quotas. It called for continued payments to farmers for seven years, which would allow them to adjust to free markets. But in 1997 an economic crisis shook Asia, and it could no longer import agricultural products, such as U.S. pork, as it had in previous years. In August 1998 Russia devalued its *ruble*, and could no longer afford U. S. grain. In addition to all of this, much of the U.S. had abundant crops in 1998, the surplus leading to depressed prices. Some farmers chose to store their grain, hoping for better markets later. Hog prices hit record lows.

In response to all of this pain, Congress approved, and President Bill Clinton signed, a special \$6 billion farm relief bill, plus \$1 billion in agricultural tax cuts. In total, the federal government paid farmers and owners of farmland about \$12.1 billion in 1998. Unfortunately, 1999 proved to be another hard year. This time Brazil devalued its *real*, making grain purchases by that country unlikely; the Asian and Russian markets were still down; the harvests were again abundant; and prices again low. Hogs, once a reliable source of income, remained rock bottom, due in good measure to overproduction resulting from factory farming operations.

The harvest of 1999 was generally a good one in the Midwest, so there was no shortage of food for sale. In addition, numerous farmers were still holding grain from the year before, and a continuing large volume of hogs was ready for market. Consequently prices were very low. Again the federal government came to farmers' aid with nearly \$9 billion in additional payments, for a total of \$22.7 billion in farm aid, 40% of farmers' net cash income for the year (Hershey). (In the spring of 1999, the Minnesota legislature also approved \$70 million in farm relief.)

State policy and programs

Minnesota agricultural policy is largely determined by five groups. First, there is the legislature, primarily through the House and Senate Agriculture and Rural Development committees. In the executive branch are two agencies, the Minnesota Pollution Control Agency and the Department of Agriculture. Both have regulatory powers; the Department of Agriculture, however, is charged with both regulating and promoting agriculture. The University of Minnesota College of Agricultural, Food and Environmental Sciences, as well as the Minnesota Extension Service, influence the direction of policy through research and education. Finally, farm organizations like the Farm Bureau and the Farmers Union, as well as agribusiness groups such as Minnesota Pork Producers and the Minnesota Agri-Growth Council develop policy proposals and lobby the legislature.

The Minnesota Department of Agriculture and the University of Minnesota are strong proponents of biotechnology in agriculture and affirm its existing and potential benefits to the state's economy. According to Agriculture Commissioner Gene Hugoson, "A lot of what we're doing as a state government is trying to assure and reassure an often skeptical, uneducated and not-necessarily-wanting-to-be-informed public that biotechnology is safe" (*Star Tribune*). And according to Dean Charles Muscoplat of the University of Minnesota College of Agriculture, Food and Environmental Science, Minnesota should increase its public investment in food-related biotechnology to prepare for the intensity of global competition and for its role in feeding the world.

Minnesota also has a variety of programs to provide instruction and assistance for farmers. The Department's Organic Certification Cost-Share Program assists with costs of certifying crops as "organic." The Energy and Sustainable Agriculture Program, under the Minnesota Department of Agriculture, publishes a *Greenbook* each year to assist farmers in using sustainable agricultural techniques. It sponsors forums, information exchanges, and other educational programs, and offers grants for trials of innovative methods. Some farmers and interested others believe that this program, the only section of the Department of Agriculture specifically designed for smaller, environmentally conscious farmers, is significantly underfunded.

The state also helps with certain marketing efforts. One program that Agriculture Commissioner Hugoson promotes is designed to help specialty farmers with marketing. The state will certify that farm products are what the farmers say they are--in terms of fertilizer restrictions, medicines in feed, insecticides, and so forth. A noteworthy, but small, program is "Minnesota Grown." It was begun in the mid-1980's in order to promote buying Minnesota products and to help farmers sell their products directly to the consumer. A "*Minnesota Grown*" *Directory for Fresh Produce* lists approximately 150 growers. Currently there are 600 licensed users of the "Minnesota Grown" logo.

The Minnesota Department of Agriculture has recently reinstated state inspection of small slaughter and processing facilities, which allows meat producers to sell their own meat directly to customers if they use one of the facilities inspected by the state. This program now includes 28 plants, processing in total nearly 300,000 pounds of meat a month. Previously meat for any kind of sale had to go through a USDA-inspected large operation, and large operations do not do small orders.

Regulation of agriculture

Minnesota farm laws

For 150 years lawmakers in Minnesota have been making laws about farmland and farming. Seven years before Minnesota became a state, a statute was adopted that said, "Any alien may acquire and hold lands...and he may convey, mortgage, and devise the same...as if such alien were a native citizen of this territory or of the United States" (Minnesota. Corporate. Appendix D). Between then and 1991 the legislature dealt with land ownership over 100 times (Rankin 1).

The reason Minnesota has such a large percentage of family farms is precisely because the Minnesota legislature has passed laws to control ownership. To keep foreign money from coming in to buy up Minnesota farmland the Alien Ownership Law was enacted in 1973; in 1977 and 1981 restrictions were tightened. The Corporate Farm Law was amended in 1973 to limit corporate leasing of land; it was amended again in 1975 to require that a majority of shareholders in an authorized farm corporation live on the farm or be actively engaged in farming. Ten years later, an amendment to the law was passed that set maximum acreage limits--generally 1500 acres of farmland (Rankin 3-4).

The law has been loosened in various ways as well. In 1978, poultry raising was defined to be a non-farm activity, which meant that the law did not apply to corporations in the poultry business (Rankin 5). Another amendment passed in 1994 broadened the law to allow non-family corporations, composed mainly of farmers, to raise hogs in Minnesota.

The present Corporate Farm Law allows two major categories of agricultural corporations--family and authorized--but places strict restrictions on them. Family farm corporations must be established for the purpose of farming, the majority of shareholders must be persons or the spouses of persons related to each other within the third degree of kindred (third cousins, for example), and at least one shareholder must live on the farm or at least be actively operating the farm.

The authorized farm corporation has broader requirements, but here too local investment and farmer dominance is required. Within this category are two different options. One option allows no more than five shareholders (all of whom must be "natural persons"), requires that 51% of the shareholders must reside on farmland or be actively engaged in agriculture, and prohibits the corporation from owning more than 1,500 acres of land. The other option, enacted in 1994 in response to farmers who wished to pool assets and raise large numbers of hogs, applies only to those raising livestock other than dairy cattle. There can be any number of shareholders, but at least 51% of shares must be held by those living on the farm or actively engaged in farming, 75% of the financial control must be held by Minnesota farmers, and the corporation can own no more than 1,500 acres of agricultural land.

A third category under the Corporate Farm Law is the breeding stock exemption, where farmers raise animals for breeding, not for meat. Finally, a limited number of corporate ownerships of land either were grandfathered in by the 1973 legislation or have been granted for very special uses since. Poultry raising does not fall under this law, so corporate ownership is allowed there.

Limited liability companies are now allowed in Minnesota agriculture under legislation passed during the 2000 session. Limited liability means what it says: Investors are not liable for company damages in an amount greater than that which the investor has invested. Two types of companies, a family farm limited liability company and an authorized farm limited liability company, were written into the law. In both cases 49% of the investors can be either non-family (family limited liability company) or non-farmer (in the authorized farm limited liability company) (Sobociaski 10). This law makes it easier to raise investor money for large-scale animal operations, where the potential for a costly environmental accident is always present.

The 2000 session of the legislature passed a bill regulating contracts between agricultural producers and buyers. Modeled after the procedure used with the insurance industry in Minnesota, it set minimum standards: The contracts must tell the farmers what risks they run, and be clearly written. Farmers must have up to three days to review contracts, see attorneys, and change their mind. It is now illegal to require a farmer to keep secret the price received under a contract. A court could later change the terms of the contract if it was not clear and readable and the producer was harmed. A Minnesota Department of Agriculture publication, *A Producer's Guide to Production Contracts*, has recently become available.

Environmental regulation

Congress has largely turned to the states to regulate industrial agriculture, although pollution does not respect state lines, and only a national solution can prevent "pollution shopping"--the attempt by businesses to locate in states with more lenient regulations. What federal legislation exists, like the Clean Water Act and the Clean Air Act, is often inadequate with respect to agriculture. The Clean Water Act, for example, does not adequately address non-point source pollution (polluted runoff whose sources are diffuse and do not come from a pipe or other conduit), of which agriculture is the biggest contributor. Federal (and state) environmental regulations fail to prevent factory farms from locating in environmentally sensitive areas, such as floodplains and karst areas. The U.S. Clean Air Act has not been effectively used to regulate factory farm air pollution. There is currently no national tracking system for manure spills, fish kills (those often go unreported, so the causes remain unknown), or *pfisteria* events associated with confined-animal feeding operations ("Spilling Swill" 3).

It often seems that taxpayer dollars are used to first subsidize industrialized farms and then to clean up after them. (See, for example, Adcock.) Many citizens advocate making corporations responsible for the pollution they are causing, and are calling for a reclassification of big farms from agricultural to industrial.

Legislation was proposed in Minnesota in 1998 that would have prevented the construction or expansion of large animal operations for a two-year period so that the issues involved could be studied. It was, however, defeated. The legislature chose instead to charge the Environmental Quality Board with preparing a Generic Environmental Impact Statement on animal agriculture to be completed in 2001. A task force has been working on the project since 1998.

Some states have taken action. For example, there is now a moratorium on building new corporate hog farms in North Carolina. Other states have limited or banned new factory farms. In Minnesota there has been intense controversy over large animal feedlot operations, as well as heavy criticism of the regulatory body, the Minnesota Pollution Control Agency. (See, for example, Minnesota Office of the Legislative Auditor report.) Some Minnesota counties are taking things into their own hands, adopting moratoria on new factory farm construction and developing and enforcing regulations.

Regulation of genetically modified foods

Three federal agencies review different components of genetically modified organisms (GMO). The Department of Agriculture (USDA) regulates potential plant pests and the safety of plants; the Environmental Protection Agency (EPA) regulates GM microorganisms and pesticides; and the Food and Drug Administration (FDA) regulates the safety of GMOs intended for human and animal food.

The USDA requires breeders to conduct field tests for several years to assure the accuracy of the result and the nutritional level and safety of the plant. In 1992 the FDA established the policy that GM foods did not require regulation and labeling unless they contained substances with a "significantly different" structure, function or quantity than substances in non-GM foods. This position is supported by The National Academy of Sciences, and the Food and Agricultural Organization of the United Nations (Schmickle). The FDA has determined to date that most transgenic crops are not "significantly different" and therefore do not require pre-market testing or approval. Until very recently developers of GM foods were encouraged to consult with the agency on safety and regulatory questions on a voluntary basis. That policy has now been changed to require companies to give advance notice and submit safety data before bringing new foods to market.

The Science and Environmental Health Network and the Institute for Agriculture and Trade Policy, on the other hand, believe that the principles used by U.S. regulatory agencies are inadequate to evaluate potential hazards. They say this for a number of reasons. First, they believe the United States' fragmented regulatory system is itself inadequate to deal with the complexity of genetically modified organisms. This fragmentation also makes public awareness and participation difficult. Moreover, in the U.S. the developer of the product, who will benefit financially from its sale, does pre-market testing. The full results of these tests are treated as confidential business information, and thus are not available to the public. No independent testing is done to verify the results (Barrett).

The State of Minnesota, through its Department of Agriculture, has its own review process for proposed GM crop test sites. That process mirrors the federal permitting and review process. The USDA sends all pertinent information regarding a proposed test crop to the state, where it is reviewed from the perspective of the state's interest. Then public notice is given, providing citizens an opportunity to comment. Modifications may be requested if the proposal does not meet the criteria established. The state must also approve any commercial use of GM products, such as the sale of seeds.

The one risk in GM foods that most seem to agree on is that such foods could contain unsuspected allergens. The National Academy of Sciences report, for example, advocates better methods for identifying things that could trigger allergic reactions in some people (Schmickle). One method of accomplishing this might be simply to label all GM foods as "genetically modified."

A coalition of 60 consumer and environmental groups, along with at least 49 members of Congress, has called for such labeling (*Organic* 1). Advocates of labeling believe it is in keeping with U.S. case law and precedent on the people's "right to know" about what they eat (Midwest). Labeling would bring the U.S. in step with Europe, Switzerland, Japan, Korea, Australia, and New Zealand, where such labeling is mandatory.

The food industry, however, says that labeling would be burdensome and might arouse irrational fears in consumers. Moreover, because of the virtual omnipresence of GM plants and by-products, almost everything would have to be labeled. An alternative might be to label foods that do not use GM technology, as we do now with organic foods.

ISSUES

Government cannot do anything about hail or drought; the global economy is not especially controllable; industrialized farming is here to stay. Consumers in the United States have, for the most part, inexpensive food, wide choices, and few shortages. Many farmers are hurting. Others have specialty markets, good contracts, little or no debt, vast fields, a skill at locking in prices on the grain exchanges for their traditional crops, good luck, and government payments when they need them.

But it is not hard to see that certain aspects of the current agriculture scene pose serious questions. The big one is this: To what extent should the state make special efforts to keep medium-sized commercial farms viable, those farms that are trying to make farming their main source of income, but that do not have the volume of sales to make a decent profit in times of low prices and low profit margins for the major crops and animals?

Do we say that Minnesota should not be trying to save the family farm, that we in the United States believe in the free market system, and part of that belief is that everyone should have an opportunity to make a living, but no one warrants special protection? Do we agree that large businesses dominate most areas of our economy and argue that there is no good reason why farming should be rescued from this global trend?

Or do we believe that the production of food is fundamentally different from other businesses and therefore should be treated differently? Do we agree that medium-sized, commercial farms are a valuable part of Minnesota's economy and society, that such farms are good for the environment, good for the countryside, good for small towns, people and animals--and should therefore be assisted to remain in business? Should the state find ways to encourage young people to become owner-operators of family farms?

If small and medium-sized farms are going to be assisted, what form should such assistance take? Here are some possibilities. Add to the educational workshops, grants, loans, technical advisors, and publications currently available through the University of Minnesota, the Minnesota Department of Agriculture to assist farmers to improve their methods of farming. Find new crops to grow and markets for these crops, as was done in the 1960s with soybeans. Vigorously promote cooperative processing ventures to enable farmers and/or rural communities to add value to crops before sending them on. Mandate that state institutions--colleges, state government dining areas, hospitals and prisons--use state-grown vegetables and fruits whenever possible. Promote "Minnesota grown" to grocery stores and restaurants.

Should the state be assisting rural communities? Is farming the only or best means of support for rural communities? The Ventura administration is strongly advocating good computer access in the rural areas, believing this to be vital if businesses and professionals are going to be enticed to the country. Roads, affordable housing, good schools, state-of-the-art health care also help sell the rural community. Government has programs in these areas. Does more need to be done?

Clearly, another big issue is the environment. Should farms be required to treat their animal wastes in the same fashion as cities must treat human waste before it goes back to the environment? Should farmers going into large-scale animal raising (or the businesses that contract with them) have to purchase a bond, so if there is an accident and significant damage occurs, someone other than the state (the taxpayer) is responsible for fixing the problem? Should there be air and water standards that factory farms must meet in order to stay in business?

Should the government assist the small but growing number of farmers who maintain sustainable agricultural practices such as rotational grazing, cover crops, crop rotation? Should government provide economic incentives to use sustainable techniques?

We know that farms also improve the environment. For example, one study shows that small U.S. farmers allow 17% of their areas to be woodlands (compared to 5% on large farms) and maintain twice as much of their land in

soil improvement uses, such as cover crops and green manures (Rosset 8). Should small farms therefore be favored in government policies? Should we provide incentives--such as Reinvest in Minnesota (RIM), which protects natural and sensitive areas on both public and private land by permanent easements that prevent set-aside wild areas from reverting to agriculture--to set aside more land than at present?

Some consumers are concerned about food safety and apprehensive both about the chemicals used to grow fruits and vegetables and the genetically modified foods that have started to arrive on the market. Should Minnesota do more to promote organically grown foods? Should Minnesota mandate appropriate labeling of foods so that the consumers know what they are purchasing? Is this an action that could be effective on a state level?

An increasing number of agriculture research grants come from agribusiness, which naturally leans towards projects that are commercially viable for large corporations. Does agribusiness unduly influence agricultural research? Should the state fund more research that is helpful for small and medium-sized farms and that is focused on sustainable agriculture?

The global marketplace raises other issues. Could the state promote Minnesota exports even more than it does now? Is there anything the state can do to cushion the effects on farmers of swift changes in the global economy?

Finally, what, if anything, can and should Minnesota do about the large corporations that are dominating markets? Should we push for stronger enforcement of federal anti-trust and fair marketing legislation, which the Minnesota attorney general could do? Is the state level the right place for such action?

The answers to these questions will direct public agricultural policy in Minnesota. Citizens need to understand the issues and make their preferences known.

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Speakers

Agricultural Committee

Willis Anthony, Farmer, St. Peter MN; former Professor in Applied Economics, University of Minnesota

Cornelia Butler Flora, Senior Fellow in Agricultural Systems, University of Minnesota

Gene Hugoson, Minnesota Commissioner of Agriculture

Richard Levins, Department of Applied Economics, University of Minnesota

William Nelson, Director of Cooperative Development, Centex Harvest States

John Peck, Doctoral Candidate in Agricultural Economics, University of Wisconsin

Mark Ritchie, Institute for Agriculture and Trade Policy

C. Ford Runge, Professor of Economics and Law, University of Minnesota

Dave Serfling, Farmer, Preston MN; member, Land Stewardship Project

Linda Thrane, Departmental Vice President, Cargill

Members of League of Women Voters of Minnesota Agriculture Study Committee

Anne Borgen, LWV Golden Valley

Brian Karlsson-Barnes, LWV Northfield

Nancy Gundersen, LWV St. Cloud Area

Stephanie Henricksen, LWV Northfield

Deanna Lederer, LWV St. Cloud Area

Helen Palmer, LWV Minneapolis

Mary Phillips, LWV Owatonna

JoAnne Rohricht, LWV St. Cloud Area

Gertrude Ulrich, LWV Richfield

Barbara Vaile, LWV Northfield

DRAFT CONSENSUS QUESTIONS ON AGRICULTURE**

1. Do you agree with the goals of state agricultural policy as stated in the Minnesota Corporate Farm Law preamble, as follows: "to establish the family farm as the most socially desirable mode of agricultural production, contributing to the stability of rural communities?"

___agree ___disagree ___no consensus

2. Should the state of Minnesota provide the following (check if yes):

- a___ support for all sizes of farms with emphasis on sustainability
- b___ research directed to moderate-sized farm operations
- c___ support for beginning farmers
- d___ support of innovative practices and crops for moderate-sized farms
- e___ crisis supports based on need

3. Industrialized agriculture and consolidation of the industry are on the rise. Check whether the state should or should not

	<u>should</u>	<u>should not</u>	<u>no consensus</u>
a favor agribusiness through governmental policy	___	___	___
b ensure access to markets for all producers	___	___	___
c more actively enforce antitrust legislation	___	___	___
d more actively enforce Minnesota Corporate Farm Law	___	___	___
e repeal legislation allowing limited liability corporations	___	___	___
f monitor contracts	___	___	___

4. Should Minnesota's agricultural policy include the following (check if yes):

- a ___ incentives for sustainable farming practices
- b ___ incentives for green spaces, contributions to clean water and air and healthy soil; conservation of wildlife
- c ___ support for the preservation of agricultural land
- d ___ shared liability for environmental damage (caused by agriculture) between farmers and businesses under contract
- e ___ stricter standards for animal confinement operations
- f ___ promotion of exports
- g ___ certified labeling of organic foods

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- e ___ stricter standards for animal confinement operations
- f ___ promotion of exports
- g ___ certified labeling of organic foods

- h ☐ labeling of genetically modified foods
- i ☐ support for value-added and niche products
- j ☐ promotion of cooperatives

5. Should the state of Minnesota support the following for rural communities (check if yes):

- ☐ infrastructure
- ☐ education (including educational development to meet needs)
- ☐ liveable wages for workers
- ☐ crisis help
- ☐ development of leadership skills
- ☐ community and regional planning
- ☐ networking with farmers and community leaders
- ☐ research into viable and sustainable rural communities

6. What priorities should guide state agricultural research policy? On a scale of 1 to 5, indicate highest priority with 5 and lowest priority with 1.

- ☐ Promotion of and research into GMO technologies
- ☐ Promotion of and research into methods which will benefit environmentally sound, family-sized farms
- ☐ Evaluation of the impacts of widespread use of GMO technologies

7. In Minnesota animal agriculture, what values should receive priority? On a scale of 1 - 5, indicate highest value with 5 and lowest value with 1. Values may be equally weighted and need not be prioritized.

- ☐ maximum production
- ☐ animal wellbeing
- ☐ environmental and eco-system health
- ☐ worker and community health and safety

****Questions mulled over and put together by Deanna Lederer , Jo Anne Rohricht, Nancy Gundersen, Stephanie Henriksen, Barbara Vaile, and myself. I and did some editing for clarification.--Helen Palmer**

The LWVMN believes that the state should encourage a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment. State policy should support research and technical assistance in farming practices and rural economies that improve the economic viability of family farms, environmental health, and the quality of life of family farmers and their communities.

The LWVMN holds that the family farm (*see Note, p. 2*) is the most socially desirable mode of agricultural production, and contributes to the stability of rural communities. The LWVMN views family farmers as those most likely to practice stewardship of the land in order to preserve it for future generations, participate in the economy and social life of their communities, and ensure diversity on the land.

The LWVMN believes that state of Minnesota should support family-owned, moderate- and small-sized farms. Specifically, the LWVMN believes that the state should promote

- research directed to moderate- and small-sized farm operations
- support for beginning farmers
- innovative practices and crops for moderate- and small-sized farms
- farmer-controlled cooperatives which serve moderate- and small-sized farms

Further, the state of Minnesota should

- ensure access to markets for all producers
- provide crisis supports based on need (*"crisis" understood to be an event beyond the farmer's control such as a natural disaster*)
- monitor contracts for the protection of farmers
- ensure that corporate farms be held liable for their share of losses, environmental damage, public health hazards, etc.

In the interest of preserving and enhancing the environment, the LWVMN strongly favors a state agricultural policy which includes

- incentives for sustainable farming practices
- incentives for contributions to clean water and air, healthy soil and conservation of wildlife
- incentives for the preservation of agricultural land
- shared liability for environmental damage (caused by agriculture) between farmers and businesses under contract

relating to the treatment of animals, the LWVMN believes the state should promote stricter standards for animal confinement operations.

The LWVMN believes that in order to promote the stability of rural communities, the state of Minnesota should support

- community and regional planning
- education (retraining, farm management, marketing, etc.)
- infrastructure
- liveable wages for workers
- crisis assistance
- development of leadership skills
- networking with farmers and community leaders
- research into viable and sustainable rural communities.

Exports should be promoted as long as this does not hold priority over promotion of a local/regional food system.

The LWVMN supports research into genetically modified foods if the purpose of such research is to ensure the long-term safety of GMO food and crops, to advance basic research knowledge, to benefit sustainable agricultural practices, and to serve the public good.

NOTE on terms used:

Family farm generally implies that the family owns and lives on the land, provides most of the labor, assumes the economic risk, and makes management decisions.

According to the Minnesota Institute for Sustainable Agriculture, sustainable agriculture seeks to balance three long-term goals:

- quality of life (to satisfy personal, family, and community needs for health, safety, food, and happiness);*
- environment (to enhance finite soil, water, air, and other resources);*
- economics (to be profitable).*

In any given situation, the most sustainable choice is the one where the net effects come closest to meeting all three goals.

The LWVMN believes that the state should encourage a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment. State policy should support research and technical assistance in farming practices and rural economies that improve the economic viability of family farms, environmental health, and the quality of life of family farmers and their communities.

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In the interest of preserving and enhancing the environment, the LWVMN strongly favors a state agricultural policy which includes

- incentives for sustainable farming practices
- incentives for contributions to clean water and air, healthy soil and conservation of wildlife
- incentives for the preservation of agricultural land
- shared liability for environmental damage (caused by agriculture) between farmers and businesses under contract

Because of concerns for both animal and human health as well as ethical issues relating to the treatment of animals, the LWVMN believes the state should promote stricter standards for animal confinement operations.

The LWVMN believes that in order to promote the stability of rural communities, the state of Minnesota should support

- community and regional planning
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In any given situation, the most sustainable choice is the one where the net effects come closest to meeting all three goals.

Minnesota response to Governor Tim Pawlenty's Livestock

Official
approved by Bob Ray
+ Stephanie
+ me
8/27/04

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Most troubling is the report's first recommendation concerning local siting of livestock operations. The current right of townships and counties to have a say in where feedlots are located in their communities is part of the tradition of local control that Minnesotans believe in. But the report suggests these rights should be weakened. We are concerned that the Governor could propose that we emulate the "siting" process in Wisconsin, where a state appointed panel has the power to overrule decisions made by elected township officers.

Also troubling are recommendations made concerning permitting and environmental review. Serious weakening of environmental review and undermining of local control have already been achieved in the past two legislative sessions. Legislation passed two years ago removed the right of citizens and local governments to initiate environmental review of large feedlots. The right of citizens to file a nuisance complaint against a feedlot that was polluting the air or water, even if it was harming their health, was removed last year. The report's suggestion that raising the state threshold for how large livestock operations can be before environmental review is required is another step in the wrong direction. The current threshold of 1,000 animal units applies to less than 5% of the livestock operations in our state and should not be further weakened.

The League's position on agriculture adopted in 2001 supports a system of sustainable agricultural production that is also protective of the environment. We support family-owned and operated moderate-sized farms. According to the Minnesota Department of Agriculture, 96% of Minnesota dairy farmers have 200 or fewer cows. Recommendations in the Task Force report, on the other hand, are designed to benefit the largest operations of seven hundred cows or more, with little, if anything, for the rest.

The Governor's Task Force was comprised almost entirely of people with direct ties to large corporate agriculture interests. All citizens of Minnesota, not just industry representatives, are stakeholders in decisions that affect the economy, the environment, public health and food safety. We believe that the Governor's Task Force report could have been greatly strengthened had there been broader input from people who will be affected by Minnesota's agriculture policy—namely, all of us.

Helen Palmer
President

League of Women Voters of Minnesota response to Governor Tim Pawlenty's Livestock
Advisory Task Force Report

final
approved by Bob By
+ Stephanie
+ me
8/27/04

To the Editor:

When Governor Pawlenty released his Livestock Advisory Task Force Report in July, the League of Women Voters of Minnesota was pleased to hear him say that the report was intended to "have relevance for all Minnesota livestock operations regardless of size, location, business structure or livestock species." The League agrees with the Governor that animal agriculture is a vital part of Minnesota's economy. However, upon reading the report we find recommendations that would undermine both local democracy and environmental considerations in the feedlot permitting process. We found the recommendations to be mainly for the benefit of the largest feedlot operators. The Task Force report has truly fallen short of the mark.

Most troubling is the report's first recommendation concerning local siting of livestock operations. The current right of townships and counties to have a say in where feedlots are located in their communities is part of the tradition of local control that Minnesotans believe in. But the report suggests these rights should be weakened. We are concerned that the Governor could propose that we emulate the "siting" process in Wisconsin, where a state appointed panel has the power to overrule decisions made by elected township officers.

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The Governor's Task Force was comprised almost entirely of people with direct ties to large corporate agriculture interests. All citizens of Minnesota, not just industry representatives, are stakeholders in decisions that affect the economy, the environment, public health and food safety. We believe that the Governor's Task Force report could have been greatly strengthened had there been broader input from people who will be affected by Minnesota's agriculture policy—namely, all of us.

Helen Palmer
President

League of Women Voters of Minnesota
550 Rice Street
St. Paul, MN 55103
651 224 5445

ACCORDING TO THE MINNESOTA INSTITUTE FOR SUSTAINABLE AGRICULTURE, SUSTAINABLE AGRICULTURE SEEKS TO BALANCE THREE LONG-TERM GOALS:

QUALITY OF LIFE (TO SATISFY PERSONAL, FAMILY, AND COMMUNITY NEEDS FOR HEALTH, SAFETY, FOOD, AND HAPPINESS);

ENVIRONMENT (TO ENHANCE FINITE SOIL, WATER, AIR, AND OTHER RESOURCES);

ECONOMICS (TO BE PROFITABLE).

IN ANY GIVEN SITUATION, THE MOST SUSTAINABLE CHOICE IS THE ONE WHERE THE NET EFFECTS COME CLOSEST TO MEETING ALL THREE GOALS.

GOVERNMENT

LWVUS Positions:

Promote an open governmental system that is representative, accountable and responsive; that has a fair and adequate fiscal basis; that protects individual liberties established by the Constitution; that assures opportunities for citizen participation in government decision making; that provides sound agricultural policy; and that preserves public health and safety through gun control measures.

Statement of Position on the Citizen's Right to Know/Citizen Participation, as Announced by National Board, June 1984:

The League of Women Voters of the United States believes that democratic government depends upon the informed and active participation of its citizens at all levels of government. The League further believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible.

Statement of Position on Individual Liberties, as Announced by National Board, March 1982:

The League of Women Voters of the United States believes in the individual liberties guaranteed by the Constitution of the United States. The League is convinced that individual rights now protected by the Constitution should not be weakened or abridged.

Citizen's Right to Know/Citizen Participation:

Protect the citizen's right to know and facilitate citizen participation in government decision making.

LWVMN PROGRAM, 2005

Citizen Rights: Support of improvements in election laws regulating election procedures, voting and school district elections. Support of improvements in election laws regulating campaign practices.

Organization of Government: Support of improved structure and procedures for the Minnesota Legislature and Executive Branch; support of an improved process for amending the Minnesota Constitution; support of timely redistricting based substantially on population of congressional districts and of all elected state and local governmental bodies; opposition to a unicameral state legislature.

LWVMN PROGRAM, 2005, cont'd.

Initiative, Referendum and Recall: Support of the continuation of legislative initiative and compulsory voter referendum on constitutional amendments; and support of voter approval by a majority of those voting on the question. Oppose most forms of voter initiative and referendum and recall of members of the legislature and state constitutional officers. Oppose term limits for members of the legislature and state constitutional officers.

Financing State Government: Support of a balanced and diversified revenue system which relies on broad-based taxes and user fees. Support of an evaluation of each individual revenue source to determine if it is competitive with other states, efficient, equitable, progressive, reliable, responsive and simple. Support of a broad-based sales tax with exemptions for essential items. Support of an equitable property tax as the primary source of financing services provided by local governments and as a partial funding for education. Support of a corporation franchise tax competitive with other states. Support of achieving social goals through open and visible expenditures rather than by granting deductions, exclusions and credits. Support of the principle that state legislation mandating local government action should identify sources of revenue. Support of long-term financial management, budget projections and budget reserve.

State Government Spending: Belief that a long-term vision as well as immediate concerns should guide state spending decisions. Support of the following broad goals, in order of priority: provide high-quality K-12 educational opportunities; provide basic level of health and human services; protect natural resources; encourage economic self-sufficiency; provide for public safety; provide high-quality post-secondary educational opportunities; and preserve open spaces. Support of the use of specific criteria when faced with the need to limit spending, i.e. curtailing subsidies for sports teams and convention centers, maintenance of existing infrastructure over increased infrastructure, tax relief targeted to low-income households and providing services first to the most needy.

Firearms: Action to support restrictions on the sale, possession and use of firearms by private parties in the state of Minnesota. Opposition to an amendment to the Minnesota Constitution granting to an individual the right to bear arms. Support for the ability of local municipalities to regulate ownership and possession of firearms and ammunition more strictly than state law allows.

MINNESOTA "FEEDLOT WAR"

1985 – 2005

Senate Agriculture, Veterans, and Gaming
Committee calls for 2005 to be the year the
Minnesota "Feedlot War" ends and a new era
begins for Minnesota livestock farmers—an era
characterized by peace, harmony, love, and
acceptance of diversity.

Senator Jim Vickerman—Chair, DFL-Tracy
Senator Rod Skoe—Vice-Chair, DFL-Clearbrook
Senator Steve Dille—Lead, Minority, R-Dassel
Senator Yvonne Prettner Solon, DFL-Duluth
Senator Dallas Sams, DFL-Staples
Senator Becky Lourey, DFL-Kerrick
Senator Dean Elton Johnson, DFL-Willmar
Senator Betsy Wergin, R-Princeton
Senator Sean Nienow, R-Cambridge
Senator Paul Koering, R-Fort Ripley
Senator Dick Day, R-Owatonna
Senator Steve Murphy, DFL-Red Wing
Senator David Hann, R-Eden Prairie
Senator Ann Rest, DFL-New Hope

RECEIVED FEB 12 2005

Date: February 1, 2005

To: All Minnesota Citizens, Agricultural and Environmental organizations, and other citizen groups interested in or concerned about livestock production.

Subject: Ending Minnesota's "Feedlot War" 1985-2005. Beginning a new era in Minnesota Livestock production characterized by peace, love, harmony, and acceptance of diversity.

2005 is the year for peace, harmony, and bipartisanship in the Minnesota Legislature.

We would respectfully request that 2005 also be the year for the "Feedlot War" to end, and that a new era begin for Minnesota's livestock farmers that is characterized by:

1. Peace.
2. Harmony.
3. Love.
4. Acceptance of Minnesota's diverse livestock productions systems.
5. Acceptance that Federal, State, and local regulations are among the most stringent in the world and will, if followed, protect the environment in almost all situations.
6. Rhetoric and resources that are channeled into promoting one's preferred method of production rather than channeling rhetoric and resources into criticizing and tearing down someone else's preferred method of production.
7. Livestock farmers renewing and intensifying their efforts to be good neighbors, and carefully following all federal, state, and local feedlot regulations.
8. Rural residents renewing and intensifying their efforts to be good neighbors, and accepting, encouraging, and supporting the livestock producers in their area.
9. Opportunities for all Minnesotans to learn about the economic and environmental benefits of livestock produced in a broad range of diverse systems, ranging from pasture to confinement.
10. Respectful, encouraging, and appreciative attitude toward of Minnesota livestock farmers.
11. The knowledge that Minnesota livestock farms and related agribusiness is good for the economy, employing over 200,000 people and generating economic value of at least \$28 billion.

12. The knowledge that high livestock and human populations peacefully coexist in much of the world. Minnesotans should try to be more like citizens of the United Kingdom, Denmark, the Netherlands, or Lancaster County, PA, who live in close proximity to farmers that use diverse production systems ranging from small pastures to large modern confinement barns. They live together in the same neighborhood in peace and harmony.

13. The knowledge that livestock that is produced on farms that are properly sited, engineered and managed is good for the environment.

The Minnesota "Feedlot War" began around 1985 and has gone on for twenty years. We respectfully ask all the warring parties to please lay down your swords, set aside hateful condescending speech, spend your energy, talent, and resources to build up and not to tear down.

Please, Minnesota, let's make 2005 the year the "Feedlot War" ended.

Please, Minnesota, let's make 2005 the year a new era begins for Minnesota Livestock producers, an era characterized by peace, harmony, love, and acceptance of diversity.

Sincerely,

Mn. Senate Agriculture Committee

Senator Steve Dille

Senator Noel Spore

Senator Vicki

Senator Betsy Johnson

Senator Betsy Johnson

Senator Paul Keering

" Steve Murphy

" Dick Gray

Senator Ann H. Rest

Senator G. P. Prettner Solon

Senator Peter Sorens

Senator Dean Holden

Senator Dean Elton Johnson

Senator Sam Nienow



Land Stewardship Project

2919 East 42nd Street, Minneapolis, Minnesota 55406

Phone: (612) 722-6377 Fax: (612) 722-6474 www.landstewardshipproject.org

Dear LSP member,

January 19, 2005

Here's another quick update on Land Stewardship Project's Policy Program activities. We're working hard on a number of fronts. Feel free to call or write with comments or suggestions!

Reforming Federal Farm Policy

Every five years, Congress writes legislation known as "the Farm Bill" which determines the direction for federal farm policy for the next five years (which in turn affects a lot of what actually happens, for good or ill, on the land). The debate for the 2007 Farm Bill is now beginning, and LSP intends to make an impact on it. LSP's Federal Farm Policy Committee has been meeting, and is ready to present some initial directions for LSP priorities in the Farm Bill and get input from LSP members at two meetings coming up soon this winter. The first meeting is on Jan. 27 in New Ulm; the second in St. Charles on Feb. 3. Both meetings start at 7 pm. LSP members were mailed a notice last week. Please attend one of the meetings if at all possible! For a preview, take a look at the letter to the editor copied on the back of this page. For more info, call Mark Schultz or Adam Warthesen at 612-722-6377.

Supreme Court hearing on mandatory checkoffs

Hog farmers and LSP members Rich and Linda Smith and Jim and Joan Joens traveled to Washington on Dec. 8 with other members of the Campaign for Family Farms for the oral arguments before the U.S. Supreme Court on the constitutionality of mandatory commodity checkoffs, like the beef and pork checkoffs. While in Washington, we also met with U.S. Rep. Collin Peterson and several of the national ag media. The Smith's and Joens' deserve a hearty thank-you from family farmers across the country – but what they really want is for these failed and unjust mandatory checkoffs to be stopped, as they should be. We'll hear from the Court later this year, before June.

State Policy: fighting for family farms, local democracy, and a healthy environment

The Minnesota Legislative session started Jan. 4, which means our battle to preserve strong local democracy and township rights has entered a critical phase. If you haven't done so already, please contact your state legislators and tell them to oppose any bills attempting to weaken township and community rights. Such bills should not even be heard by legislative committees – they are purely the result of intensive, big-buck lobbying by the Minnesota Agri-Growth Council (Cargill, Land O'Lakes, Hormel, etc.) and their factory farm allies. More than 80% of Minnesotans support townships maintaining the right to create stronger standards than the state to protect the local community environment. We want our legislators to pass laws that really help the land, people and communities of Minnesota – like those announced at our Jan. 10 press conference and in the Citizens' Task Force report (online at http://www.landstewardshipproject.org/pdf/citiz_task_report.pdf). For info, call Bobby King at 507-523-3366.

Dodge County factory farm fight

If you want to help LSP members in Dodge County make sure that the 2,000-to-3,000 cow mega-dairy proposed to be built in their community conducts a complete Environmental Impact Statement (EIS) before it receives permission to build from the state, contact Adam Warthesen at the Policy Office, 612-722-6377. Written comments making the case that an EIS must be conducted are due by February 18.

Grassroots fundraising for positive change

Thanks to everyone who got a call from an LSP member in December and contributed an extra donation to help with our state policy organizing. It makes a huge difference. In this case, 23 LSP members (Policy Program volunteers and staff) phoned for a total of 60 hours and raised almost \$11,000 for the work from 200 members. Thanks, and great work, everybody!

Sincerely,


Mark Schultz, Policy and Organizing Program Director

StarTribune Editorial

www.startribune.com/opinion

e-mail: opinion@startribune.com

Letters from readers

Factory farms

The Nov. 30 Star Tribune story "Largest farms and firms get subsidies" reported that just 10 percent of the nation's farm operations that

Thursday, December 2 • 2004

Spend any time in rural America and you will see the result of this farm policy: long-term damage to our soil and water from subsidy-induced overproduction, continued farm consolidation as the big sub-

It doesn't have to be this way. New farm policy can curb huge commodity subsidies, cut overall program costs and redirect resources to better conservation on working farms through policies like the Conservation Secu-



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Helen

From: "Guenther Moesler" <gmoesler@cvtel.net>
To: "Helen Palmer" <helenpalmer@mn.rr.com>; "Mason C. and Gwen S. Myers" <salmyers@ix.netcom.com>
Sent: Wednesday, December 15, 2004 11:22 AM
Subject: Feedlot testimony

**Testimony to the House Environment and Natural Resources Policy Committee
 On HF 1202, Modifying Environmental Review for Animal Feedlots
 Presented by Allene Moesler, Environmental Lobbyist
 League of Women Voters of Minnesota**

April 3, 2003

The League of Women Voters is in support of a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment. The League is also a strong proponent of citizen participation in government decision-making.

The Minnesota Environmental Policy Act (MEPA) exists to protect our natural resources and prescribes processes for citizen participation in that effort. One of those processes is the citizen petition calling for an environmental assessment worksheet (EAW) for projects having potential for significant environmental impact. It permits citizens to raise valid concerns about a proposed facility, evaluates the facility with site-specific details in hand, and suggests remedies to lessen facility impact.

H.F. 1202 weakens the Minnesota Environmental Policy Act (MEPA) by exempting feedlot operations under 1,000 animal units (AU) from the EAW process if the facility complies with Minnesota Rules 7020. Note that 1,000 animal units is equivalent to:

- 999 steers
- 698 dairy cows
- 3,000 hogs or 20,000 pigs under 55 pounds
- 100,000 chickens or 55,500 turkeys
- 9,900 people

The underlying assumption of this legislation is that MN Rules 7020 are adequate and/or local permitting processes will correct problems. It assumes that the 7020 rules are applied consistently, monitored and enforced and that all pertinent information is discovered in that process. Problems with the "permit only" process if environmental review is eliminated:

- Comprehensive environmental assessment by other agencies such as the Dept. of Health, DNR, BWSR which have levels of expertise not generally found on county or local staffs will not be utilized.
- The discretionary power of local government to request environmental review for feedlots between 300 and 1000 AUs is eliminated.
- The permitting process does not provide for clear and/or adequate notification, thus opportunity for public comment before permit approval may be denied. Public comments at hearings do not have the same weight as a petition for environmental review and subsequent outcomes.
- Landform diversity in some counties would require detailed and very complex ordinances to assure proper protection in all areas.
- The cumulative impact of multiple facilities on groundwater, streams and lakes is not addressed.
- Odor and toxic gas emissions may not be adequately addressed in some situations by

12/15/2004

142. The answers to these questions will be based on values judgments, speculation, and conjecture. No one can really predict the outcome of changes in our voting system, but the more we know about the issues, the less likely we are to make choices that we regret. The League of Women Voters hopes that the information in this report helps League members, legislators, and citizens understand some of the most widely discussed alternative systems, sort out the claims made by their advocates and identify and prioritize their criteria for a voting system that would best suit their particular situation.

setbacks alone.

- There is limited ability of feedlot officers to address multiple complex issues countywide. Indeed, if budget cuts eliminate both feedlot officer and MPCA positions, citizen participation becomes even more important.
- Natural resource monitoring is unlikely to occur.

HF 1202 also raises the limits triggering an EAW on environmentally sensitive areas, from 50 animal units to 500. Environmentally sensitive areas include shoreland, those highly susceptible to groundwater contamination, karst formations, wellhead protection, etc. To increase that limit ten-fold could be disastrous. The EAW process brings together expertise necessary to address specific conditions and develop site-specific environmental protection. It brings forward the information upon which conditional use permit constraints are based.

The EAW process opens dialogue between those who are concerned about a particular facility, the facility owners, agency experts and the local unit of government. The outcome is often a well-designed facility satisfactory to the community and the owner.

Because of the potential for animal feedlots under 1000 AUs to impact a community and its natural resources, and because citizen participation is eliminated or severely restricted by this bill, the League urges that H.F. 1202 not be approved by the Environment and Natural Resources Policy committee. It is important that MEPA remains in tact to protect public and environmental health and promote citizen involvement in protecting the resources and quality of life we Minnesotans dearly value.

to their constituents? How important is it that women and minorities are often not major party candidates?

6. Legality of Alternative Systems: Does the Minnesota law only need to be clarified, not changed, in order to allow cities to choose the voting method used in their own local elections? Would introducing an alternative voting system require a constitutional amendment? What is the meaning of one person/one vote?

7. Political Parties: Would alternative voting systems that encourage third parties upset the stability and balance of the traditional two-party system? Would stronger third parties improve candidate credibility by eliminating the spoiler effect, reducing wasted votes, and more accurately reflecting the will of the people? In the plurality system, how important is it that third party candidates can siphon off votes from one major party candidate, perhaps enabling the candidate from the other major party to win?

8. Impact on the Voters: Is ranking candidates according to the voter's first, second, and third choice a familiar process that would increase voter turnout? Is it a confusing process that might put-off a tentative voter? How important is it that the voters understand the mathematics of how the votes are counted?

9. Good Government: Would the additional costs of a new system be too much of a burden on Minnesota election districts in terms of educating voters and election officials? In the case of Instant Runoff Voting, would the savings in time and money created by eliminating a primary election outweigh the cost of educating the voters and election officials to use a new system

10. Unintended consequences: Is it possible to reduce the impact of the unintended consequences which almost always follow any institutional change?

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THE NEW YORK TIMES **EDITORIALS/LETTERS** THURSDAY, DECEMBER 2, 2004

Fighting for Local Control

Given the results of the election, voters' power should be strong and healthy in rural America. Per-

farms before environmental reviews kick in and moving the approval process to the state capital. And it attacks Minnesota's Corporate Farm Law,



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Gov. Pawlenty, do you share our values?



"I was shocked when Gov. Pawlenty proposed weakening local government rights and environmental protections to help corporate ag interests. That's not why he got my vote. That is not what I value."

— Lois Nash is a lifelong Republican and rural Minnesotan.

Gov. Pawlenty has proposed bringing more factory farms into Minnesota by weakening township local control and bedrock environmental protections. This is not what Minnesotans value. Minnesotans overwhelmingly support townships maintaining the right to create standards stronger than state minimum regulations to protect the local community. Minnesotans want to protect our rivers, streams and groundwater and reject the notion that we must rollback environmental protections and streamline regulations to benefit big agribusiness.

**Minnesotans value strong local government,
family farms and clean water.**

To find out more, go to www.landstewardshipproject.org or call 507-523-3366

The LWVMN believes that the state should encourage a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment. State policy should support research and technical assistance in farming practices and rural economies that improve the economic viability of family farms, environmental health, and the quality of life of family farmers and their communities.

The LWVMN holds that the family farm (see *Note, p. 2*) is the most socially desirable mode of agricultural production, and contributes to the stability of rural communities. The LWVMN views family farmers as those most likely to practice stewardship of the land in order to preserve it for future generations, participate in the economy and social life of their communities, and ensure diversity on the land.

The LWVMN believes that state of Minnesota should support family-owned, moderate- and small-sized farms. Specifically, the LWVMN believes that the state should promote

- research directed to moderate- and small-sized farm operations
- support for beginning farmers
- innovative practices and crops for moderate- and small-sized farms
- farmer-controlled cooperatives which serve moderate- and small-sized farms

Further, the state of Minnesota should

- ensure access to markets for all producers
- provide crisis supports based on need (*"crisis" understood to be an event beyond the farmer's control such as a natural disaster*)
- monitor contracts for the protection of farmers
- ensure that corporate farms be held liable for their share of losses, environmental damage, public health hazards, etc.

In the interest of preserving and enhancing the environment, the LWVMN strongly favors a state agricultural policy which includes

- incentives for sustainable farming practices
- incentives for contributions to clean water and air, healthy soil and conservation of wildlife
- incentives for the preservation of agricultural land
- shared liability for environmental damage (caused by agriculture) between farmers and businesses under contract

relating to the treatment of animals, the LWVMN believes the state should promote stricter standards for animal confinement operations.

The LWVMN believes that in order to promote the stability of rural communities, the state of Minnesota should support

- community and regional planning
- education (retraining, farm management, marketing, etc.)
- infrastructure
- liveable wages for workers
- crisis assistance
- development of leadership skills
- networking with farmers and community leaders
- research into viable and sustainable rural communities.

Exports should be promoted as long as this does not hold priority over promotion of a local/regional food system.

The LWVMN supports research into genetically modified foods if the purpose of such research is to ensure the long-term safety of GMO food and crops, to advance basic research knowledge, to benefit sustainable agricultural practices, and to serve the public good.

NOTE on terms used:

Family farm generally implies that the family owns and lives on the land, provides most of the labor, assumes the economic risk, and makes management decisions.

According to the Minnesota Institute for Sustainable Agriculture, sustainable agriculture seeks to balance three long-term goals:

- quality of life (to satisfy personal, family, and community needs for health, safety, food, and happiness);*
- environment (to enhance finite soil, water, air, and other resources);*
- economics (to be profitable).*

In any given situation, the most sustainable choice is the one where the net effects come closest to meeting all three goals.

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In any given situation, the most sustainable choice is the one where the net effects come closest to meeting all three goals.



The Rural Life

Catching Nell

The other night, just before dusk, I walked across the pasture with a bucket of grain. Two dozen chickens followed me in a mob. Some came running toward me, wings flapping, as if with enough room they might actually take off. I led them into their pen, scattered the grain

than human. But they want me to be a human who knows how the world looks to them and respects it.

All of our animals, except one, were raised among humans from birth. That one is Nell, the mustang. We bought her not far from our farm here in upstate New



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League of Women Voters of Minnesota response to Governor Tim Pawlenty's Livestock
Advisory Task Force Report

To the Editor:

When Governor Pawlenty released his Livestock Advisory Task Force Report in July, the League of Women Voters of Minnesota was pleased to hear him say that the report was intended to "have relevance for all Minnesota livestock operations regardless of size, location, business structure or livestock species." The League agrees with the Governor that animal agriculture is a vital part of Minnesota's economy. However, upon reading the report we find recommendations that would undermine both local democracy and environmental considerations in the feedlot permitting process. We found the recommendations to be mainly for the benefit of the largest feedlot operators. The Task Force report has fallen short of the mark.

Most troubling is the report's first recommendation concerning local siting of livestock operations. The current right of townships and counties to have a say in where feedlots are located in their communities is part of the tradition of local control that Minnesotans believe in. But the report suggests these rights should be weakened. We are concerned that the Governor could propose that we emulate the "siting" process in Wisconsin, where a state appointed panel has the power to overrule decisions made by elected township officers.

Also troubling are recommendations made concerning permitting and environmental review. Serious weakening of environmental review and undermining of local control have already been achieved in the past two legislative sessions. Legislation passed two years ago removed the right of citizens and local governments to initiate environmental review of large feedlots. The right of citizens to file a nuisance complaint against a feedlot that was polluting the air or water, even if it was harming their health, was removed last year. The report's suggestion that raising the state threshold for how large livestock operations can be before environmental review is required is another step in the wrong direction. The current threshold of 1,000 animal units applies to less than 5% of the livestock operations in our state and should not be further weakened.

The League's position on agriculture adopted in 2001 supports a system of sustainable agricultural production that is also protective of the environment. We support family-owned and operated moderate-sized farms. According to the Minnesota Department of Agriculture 96% of Minnesota dairy farmers have 200 or fewer cows. Recommendations in the Task Force report, on the other hand, are designed to benefit the largest operations of seven hundred cows or more, with little, if anything, for the rest.

The Governor's Task Force was comprised almost entirely of people with direct ties to large corporate agriculture interests. All citizens of Minnesota, not just industry representatives, are stakeholders in decisions that affect the economy, the environment, public health and food safety. We believe that the Governor's Task Force report could have been greatly strengthened had there been broader input from people who will be affected by Minnesota's agriculture policy—namely, all of us.



Helen Palmer, President
League of Women Voters of Minnesota
550 Rice Street
St. Paul, MN 55103
651 224 5445

RECEIVED SEP 10 2004

Thousands who fear pollution from a Preston plant signed a petition urging more study.

Foes of tire-burning take cause to Capitol

By Terry Collins
Star Tribune Staff Writer

Although an environmental assessment has been completed, the critics, during their visit

The petition drive is another episode in a two-year dispute about the proposed Heartland

ing compound, would be produced in the burning process and would put their quality of

make a final decision on the matter in December or January, she said. The decision also will

suggested that the study should be conducted outside of the MPCA.



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Contact: Doug Peterson, MN Farmers Union, 651-639-1223;
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Bob Arndt, MN National Farmers Organization, 507-925-4371, 320-760-5745 (cell)
Mary Jo Forbord, Sustainable Farming Association of Minn., 320-760-8732

Farm and Rural Groups Critical of Pawlenty's Agenda for Livestock Agriculture

Governor's Livestock Task Force Report Threatens Independent Farmers and Township Rights

St. Paul, MN- Gov. Tim Pawlenty's recently released Livestock Advisory Task Force report undermines independent family farmers and township and county rights according to a diverse group of family farm, rural and citizen groups. The organizations met to evaluate the report as part of the Citizens Task Force on Livestock Farming and Rural Communities. The strongest criticism was aimed at the report's top recommendation of weakening the right of township and county governments to determine where large feedlots are located in their communities.

"At Governor Pawlenty's news conference on this issue, I was pleased to hear him say that he does not want to trample on local control and is concerned about concentration and consolidation in the food industry," said Doug Peterson, President of Minnesota Farmers Union, "but in fact his task force report contradicts his words and recommends weakening local control and local democracies."

The group was also critical of the closed-door process used to create the report which excluded input from family farmers and was dominated by corporate ag interests. The Governor's Task Force contained representatives from Hormel Foods and Jennie-O Turkey Store, AgStar Financial Services, Land O'Lakes and the Minnesota Agri-Growth Council.

"Farmers and consumers that I talk with want more livestock on the land, but they also insist that we use livestock systems that benefit farm families, local communities, human and animal health and the environment. Rotational grazing is just one of these multi-benefit systems that was excluded from the report," said Mary Jo Forbord, executive director of the Sustainable Farming Association of Minnesota. "Farmer and consumer viewpoints are essential when so much is at stake for all of us, so we intend to create the opportunity for more voices to be heard."

The Governor's report also contains a recommendation that suggests Minnesota's corporate farm law needs to be relaxed. That drew criticism along with the fact that the report ignores the issue of low and volatile prices paid to farmers.

"Minnesota has been a champion of keeping livestock and dairy production in the hands of independent family farmers," said Bob Arndt, President of Minnesota National Farmers Organization. "That means keeping our corporate farm law strong, not weakening it. It also means encouraging independent farmers to participate in the process of group negotiating to increase net farm income. The report ignores that issue."

The group analyzed the report against a list of guiding principles (attached) that they are using to develop a set of their own recommendations, which they will present to the legislature.

Sample Letter to the Editor

Between 1.5 million and 3 million voters were not able to cast a ballot in the 2000 presidential election because of problems in voter registration systems. Too often, citizens who registered to vote didn't have their names on the voter rolls at the polling place. In 2002, Congress passed the Help America Vote Act (HAVA), which protects these voters, ensuring that every eligible voter who goes to the polls can cast a ballot and have that ballot counted. This is called the provisional ballot requirement. It is the number one good government reform that must be in place for the 2004 elections.

Beginning on Election Day 2004, if you arrive at the polls and there is a question about your eligibility, then you have a right to a provisional ballot. You can't be turned away without an opportunity to cast a ballot. For example, this means that if your name does not appear on the registration list for the polling place or if you do not have the required identification, you still must be given a provisional ballot. Before counting the provisional ballot, election administrators will make an official determination of the voter's eligibility, and, after the election, the voter can find out whether his or her vote was counted.

This new federal provisional ballot requirement, if implemented effectively, can keep the country from experiencing another election where voters are turned away from the polls and ballots of eligible citizens go uncounted.

Use
STRIP

"What was most disappointing about this report is that there is almost nothing in it that will encourage the growth of independent, family livestock farmers. In fact, the recommendations in this report are about replacing independent, family farms with corporate-backed factory farms," said Paul Sobocinski with the Land Stewardship Project. "This report is a slap in the face to Minnesota's independent livestock producers who are the backbone of our livestock industry."

The four founding organizations of the Citizens Task Force are the Minnesota Farmers Union, Minnesota National Farmers Organization, the Land Stewardship Project and the Sustainable Farming Association of Minnesota. Other organizations that are part of the Citizens Task Force are the Minnesota Dairy Producers Board, League of Women Voters, Minnesota Catholic Conference, Lutheran Coalition for Public Policy of Minnesota, COACT and Milk Power. The Citizens Task Force plans to continue meeting and to have a list of policy recommendations by this Fall that are designed to promote independent, family farm livestock production in Minnesota.

-30-

To view past press releases on the Citizen Task Force on Livestock Farmers and Rural Communities go to www.landstewardshipproject.org/pr/04/newsr_040224.html and www.landstewardshipproject.org/pr/04/newsr_040305.html

Voter Service

organize total VS program, timeline, budget

**judicial candidate forums and voter guide info; training at Council for
judicial (and other) candidate forums; oversee project director**

candidate forum guidelines; who's in charge?

Juneteenth

ch 17 mn channel Andrew Lucas

**Voter registration events in conjunction with Bremer proposal—outstate
registration, etc**

precinct caucus training

**update and revise voter service materials; road to election day, power point
presentation, manual**

funders—follow up, eg with Target; help with grant proposals

Voter Guide, and running interference between Mike Logan and Eydie

debates, communication with all tv and radio stations

hotline

work with Juanita on pr, e.g. Smackdown the Vote and other

**regular meetings, agendas, minutes, good communication with committee
members**

MN Compact

*Press
Release*

Contact: Doug Peterson, MN Farmers Union, 651-639-1223;
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Farm and Rural Groups Critical of Pawlenty's Agenda for Livestock Agriculture

Governor's Livestock Task Force Report Threatens Independent Farmers and Township Rights

St. Paul, MN- Gov. Tim Pawlenty's recently released Livestock Advisory Task Force report undermines independent family farmers and township and county rights according to a diverse group of family farm, rural and citizen groups. The organizations met to evaluate the report as part of the Citizens Task Force on Livestock Farming and Rural Communities. The strongest criticism was aimed at the reports top recommendation of weakening the right of township and county governments to determine where large feedlots are located in their communities.

"At Governor Pawlenty's news conference on this issue, I was pleased to hear him say that he does not want to trample on local control and is concerned about concentration and consolidation in the food industry," said Doug Peterson, President of Minnesota Farmers Union, "but in fact his task force report contradicts his words and recommends weakening local control and local democracies."

The group was also critical of the closed-door process used to create the report which excluded input from family farmers and was dominated by corporate ag interests. The Governor's Task Force contained representatives from Hormel Foods and Jennie-O Turkey Store, AgStar Financial Services, Land O'Lakes and the Minnesota Agri-Growth Council.

"Farmers and consumers that I talk with want more livestock on the land, but they also insist that we use livestock systems that benefit farm families, local communities, human and animal health and the environment. Rotational grazing is just one of these multi-benefit systems that was excluded from the report," said Mary Jo Forbord, executive director of the Sustainable Farming Association of Minnesota. "Farmer and consumer viewpoints are essential when so much is at stake for all of us, so we intend to create the opportunity for more voices to be heard."

The Governor's report also contains a recommendation that suggests Minnesota's corporate farm law needs to be relaxed. That drew criticism along with the fact that the report ignores the issue of low and volatile prices paid to farmers.

"Minnesota has been a champion of keeping livestock and dairy production in the hands of independent family farmers," said Bob Arndt, President of Minnesota National Farmers Organization. "That means keeping our corporate farm law strong, not weakening it. It also means encouraging independent farmers to participate in the process of group negotiating to increase net farm income. The report ignores that issue."

The group analyzed the report against a list of guiding principles (attached) that they are using to develop a set of their own recommendations, which they will present to the legislature.

outside funding was available, including paid staff, you could serve as liaison between staff and board.

4) Participate in strategic planning to direct how the League's mission is carried out and what projects/activities will be funded.

5) Insure fiscal health for the League by providing personal financial support. Support all fund raising activities through promotion, attendance and possibly volunteering to work on the event.

6) Provide fiscal oversight for the League by reviewing monthly treasurer's reports (mailed) and submitting vouchers for expenses incurred as a board member.

7) Promote the League and its activities in the larger community/state. From time to time a board member may be asked to attend a statewide meeting/function as a representative of the LWVIL, e.g., statewide candidate debates.

8) Serve as a mentor to newer/younger members on the board, and those League members in your community/League who could be potential leaders.

You are currently subscribed to lwv-presidents as: helenpalmer@mn.rr.com

To unsubscribe send a blank email to leave-lwv-presidents-46008B@lists.lwv.org

“What was most disappointing about this report is that there is almost nothing in it that will encourage the growth of independent, family livestock farmers. In fact, the recommendations in this report are about replacing independent, family farms with corporate-backed factory farms,” said Paul Sobocinski with the Land Stewardship Project. “This report is a slap in the face to Minnesota’s independent livestock producers who are the backbone of our livestock industry.”

The four founding organizations of the Citizens Task Force are the Minnesota Farmers Union, Minnesota National Farmers Organization, the Land Stewardship Project and the Sustainable Farming Association of Minnesota. Other organizations that are part of the Citizens Task Force are the Minnesota Dairy Producers Board, League of Women Voters, Minnesota Catholic Conference, Lutheran Coalition for Public Policy of Minnesota, COACT and Milk Power. The Citizens Task Force plans to continue meeting and to have a list of policy recommendations by this Fall that are designed to promote independent, family farm livestock production in Minnesota.

-30-

To view past press releases on the Citizen Task Force on Livestock Farmers and Rural Communities go to www.landstewardshipproject.org/pr/04/newsr_040224.html and www.landstewardshipproject.org/pr/04/newsr_040305.html

Helen

From: "Bobby King" <bking@landstewardshipproject.org>
To: "Helen Palmer" <helenpalmer@mn.rr.com>
Sent: Thursday, July 22, 2004 4:41 PM
Subject: Re:

I haven't sent it there. Why don't you send it.

----- Original Message -----

From: Helen Palmer
To: Bobby King
Sent: Monday, July 19, 2004 8:57 PM
Subject: Re:

Hi Bobby: Are you getting this to the Star-Tribune? Let me know, please. Thanks. Helen Palmer

----- Original Message -----

From: Bobby King
To: bking@landstewardshipproject.org
Sent: Monday, July 19, 2004 5:32 PM

Excellent editorial on the Governor's Taskforce and township local control. (Consider asking your local paper to run this peice.)

Post-Bulletin *Opinions*

[return to front]

Who's really running agribusiness?

Wednesday, July 14, 2004

DOUG MCGILL COLUMN

I did a major double-take when I heard Gov. Pawlenty, in a press conference last week at the Gar-Lin farm in Eyota,



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email



top

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Helen

From: "Tara Treasurefield" <treasure@sonic.net>
To: <LWVTopics@yahoogroups.com>
Sent: Monday, February 02, 2004 11:04 PM
Subject: Re: [LWVTopics] ACLU position on DRE's

In case you haven't received this yet.

Cheers,
Tara Treasurefield

--
ACLU Statement of Principles on Touch Screen (DRE) Voting Systems

The integrity of the voting process is fundamental to the operation of our democracy. A major component of a valid electoral process is voting technology that honestly and accurately counts every ballot. Because voting technologies have always been susceptible to error, bias, and corruption, we must remain vigilant about new technologies and insist that they maximize the likelihood of recording what each voter intends, regardless of the voter's race, economic status, or geographical location. To this end, we must require that voting machines be accessible to all voters by reducing barriers to participation erected by language, physical disability, or complexity. Because democracy also requires that the public have confidence in the results of elections, we must ensure that voting technologies may not be rigged in a way that would thwart the true will of the electorate.

Though the now discredited punch-card voting systems failed all these tests, there is much debate about what voting systems should take their place. Touch screen voting systems offer tremendous potential advantages, including ease of use, accessibility to persons with disabilities, ready accommodation of the needs of language minorities, and the voter's ability to review and correct ballots. However, computer security experts have raised serious concerns about whether those machines are open to undetectable error, tampering, or outright fraud. Moreover, recent experience with the use of touch screen voting machines in California and Florida illustrate that these machines are vulnerable to more prosaic problems such as getting the machines up and running, inadequate training of poll workers and others responsible for overseeing the use of the machines, and instances in which manufacturers have not lived up to their representations concerning the machines, e.g. the support for multiple languages.

The ACLU strongly supports the recommendation of computer experts that digital voting technologies be subjected to the most rigorous testing and

from different circumstances. There may not be one solution for all states. I would like to see LWVUS set principals, but not specifics. For example, LWVUS's position should be that there should be accountability, allowing for audits and recounts, leaving the specifics up to states (for example if a paper audit trail is necessary to meet that goal). It could very well be that there will be different positions taken by Leagues in different states. I'm fine with that. Just as we feel strongly that a VVPB is necessary (based on experience) in Minnesota, other states may feel just as strongly the other way. I had a nice chat with Olivia Thorne last week and we discussed this (in addition to DNet). Things are very much different in Pennsylvania than in Minnesota when it comes to elections, and the solution for one state may not be the best for another. This applies to both DNet and voting machines. One size does not fit all.

I attended a Vendor Fair last winter put on by the Secretary of State. All vendors except for one had a VVPAT, and it was not Diebold. But the machine I liked the best was not a DRE, but what I am calling a "ballot generator". It produces a filled out ballot that looks exactly like the ones we fill out by hand - same size and paper - which would be fed into our current optical scanners. The others produced an "ATM receipt-like" paper under glass. I can understand why people do not like them. Yes, that paper is flimsy and hard to read. What we are suggesting is not. For states that already use optical scanners, this is a much preferable, and cheaper, way to go. For states that are using punched cards or lever machines, DRE's may be a big step forward.

Again, I appreciate your willingness to communicate with us and hope this can be resolved early and peacefully.

Warm regards,
Ady

Ady Wickstrom office: (651) 224-5445
LWVMN Webmaster home: (651) 780-5245
email: awickstrom@lwvmn.org / webmaster@lwvmn.org
website: www.lwvmn.org

-----Original Message-----

From: KayJMax@aol.com [mailto:KayJMax@aol.com]
Sent: Tuesday, May 25, 2004 5:12 PM
To: awickstrom@lwvmn.org
Subject: Re: Ballot Generators

Ady:

I'm sorry not to have gotten back to you sooner, but it just wasn't possible this past weekend, and then I was waiting for some more information from Helen before I responded to you. And then I had to fly to DC today. In short, life is a bit crazy!

I have a couple of questions:

Is it your idea that the statement you provided would be one that LWVUS would issue?
Has Helen Palmer seen this draft statement?

In number 16, what is your exact definition of "paper ballots"?

Thanks!

5/27/2004

Helen

From: "Ady Wickstrom" <awickstrom@lwvmn.org>
To: <KayJMax@aol.com>
Cc: "Helen Palmer" <helenpalmer@mn.rr.com>; "Sally Sawyer" <ssawyer@lwvmn.org>
Sent: Wednesday, May 26, 2004 5:08 PM
Subject: RE: Ballot Generators

Hi Kay,

Hope you had a nice weekend.

Here is the resolution as we sent in a letter to League presidents over the past few days. Helen emailed it to you Monday. We had to proceed because time is getting short before the Convention. We would welcome coming to a resolution before then if possible.

- - - - Start of resolution:

Whereas there is strong disagreement among League members about the interpretation of the position on "Citizens Right to Vote" that LWVUS has taken as to whether a Voter Verifiable Paper Audit Trail should be a requirement with Direct Recording Electronic Voting,

Be it resolved that LWVUS remove the following wording from its interpretation:

The LWVUS does not believe that an individual paper confirmation for each ballot is required to achieve those goals [recounts and authentication of elections]. ... The experts that we have consulted say that there are many safeguards other than an individual ballot paper confirmation that can protect the sanctity of the ballot and that other issues are far more important in safeguarding our elections systems.

The LWVUS interpretation of the position on Citizens Right to Vote will now read:

The LWVUS supports an individual audit capacity for the purposes of recounts and authentication of elections for all voting systems. LWVUS reserves judgment on whether or not an individual paper confirmation for each ballot should be required and will continue to monitor changes in technology as improvements are made to our election systems to comply with the Help America Vote Act.

- - - - Supporting statement in letter:

This resolution is intended to give LWVUS greater flexibility as more information on electronic voting becomes available.

- - - - End of resolution

We reworded the resolution and removed the language about local/State Leagues in the supporting statement after a discussion between Helen, Sally Sawyer and me. These changes were a result of our conversations with you, and we hope they alleviate your concerns.

The list I sent you Friday was intended to indicate that there are many issues that the League can and should be addressing.

A big difficulty with this is that because conducting elections is a state responsibility, we are all coming

5/27/2004

Navigating the GEIS: Farm Animal Welfare

An ongoing series on the Animal Agriculture GEIS

In farm country, the subject of humane treatment of livestock is a lot like religion and politics: one doesn't bring it up in polite conversation. So perhaps the biggest surprise of the "animal welfare" document written for Minnesota's Generic Environmental Impact Statement (GEIS) on Animal Agriculture is that it exists at all. That it

But a happy animal and a productive animal are not always one-in-the-same. "It is true that welfare is important for functioning, but in many cases animals can continue to produce while in a state of poor welfare" thanks to the help of antibiotics, hormones and climate-controlled facilities, writes Halverson.

Like it or not, restrictions related to



cites the alternative swine research going



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H. agenda
2/24

ACTION ALERT TO PRESERVE TOWNSHIP RIGHTS - FEB. 22, 2004

Oppose SF2108 which weakens local control over factory-farm expansion.

Authors: Sen. Hann (R-Eden Prairie), Sen Rosen (R-Fairmont) and Sen. Dille (R-Dassel).

LWWUS Position: Promote public understanding and participation in decision making as essential elements of responsible and responsive management of our natural resources

LWVMN Position: Support of a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment.

Background

Senators Hann, Rosen, and Dille have introduced a bill (SF2108) that hurts democracy, family farms and the environment. Your calls or emails are needed by Wednesday. This bill would dramatically weaken citizens' ability to restrict factory farm expansion in their communities. Problems with SF2108 include the following:

- It eliminates the right of townships and counties to apply temporary moratoriums to livestock facilities if the proposers have applied for a permit. Current law allows local governments to enact temporary moratoriums on controversial developments, even if they have applied for a permit, while the issue is studied and local ordinances are considered. Factory farms "proposers" can easily apply for a permit before neighbors and county or township officials are even aware of the proposal.
- The bill also limits county and township moratoriums to just 180 days, as opposed to a year in current law. It also limits the extension of moratoriums to only 180 days, as opposed to 18 months for townships and one year for counties in current law. Townships and counties cannot make good decisions with meaningful public input in such a short time.
- The bill weakens the Corporate Farm Law. It removes the dairy exclusion from the definition of an "authorized livestock farm corporation" under the corporate farming law. This would allow absentee investors to own up to 25% of a dairy farm.

This bill appears to be designed to help promote factory farms like the 3,000 cow factory dairy farm currently proposed in Dodge County. It does not merit a hearing, but if it is heard the entire bill should be defeated.

Action

1. Call Sen. Jim Vickerman (DFL-Tracy), the Chair of the Senate Ag Committee, and tell him not to give this bill a hearing. It hurts democracy, family farms and the environment. Call him at (651) 296-5650 or e-mail: Use Mail Form provided at http://www.senate.leg.state.mn.us/members/sendis22_email.htm.

2. Call or email other members of the Senate Ag Committee and tell them to oppose this legislation. Listed in order of priority, all senate emails follow this form unless otherwise noted: <sen.dean.johnson@senate.mn>

JNC

After receiving the nominees list, the governor has thirty days within which to make the appointment; if no appointment is made within that time, the chief justice (or presiding judge, where applicable) makes the appointment. n75 This provision is intended to ensure that the final appointment is made within a reasonable time. n76

-Footnotes-

n75. Id. 1.

n76. Id. 1, commentary.

-End Footnotes-

The recommended terms for the initial commissioners are staggered among the lawyer and non-lawyer commission members and each group has a maximum of either four or six year terms. n77 The commentary to the Model Provisions states that "members should serve for a period long enough to enable them to develop selection skills," n78 and that terms "should be staggered to encourage an independent commission and to provide some continuity." n79

-Footnotes-

n77. Id. 3.

n78. Id. 2, commentary.

n79. Id. 3, commentary.

-End Footnotes-

Commissions should be provided with staff and equipment and empowered to adopt their own rules of procedure. n80 Part 2 of the Model Provisions consists of model rules for implementing a merit plan. These include rules that require submission of a list of "no more than five nor less than two persons qualified for the judicial office to the governor within 60 days of the occurrence of a vacancy." n81 The chairman of the commission publicizes the vacancy and solicits the names of qualified applicants through press releases and public announcements. n82

-Footnotes-

n80. Id. 5; see infra Appendix A, Tables 3 and 4.

n81. Id. at Rule 1.

n82. Id. at Rule 4.

-End Footnotes-

Organizational meetings of the commission to discuss "the commission's procedures and requirements for the vacancy" are open to the public; n83 "final

Sen. Dean Johnson (DFL-Willmar) (651) 296-3826; Sen. Dick Day (R-Owatonna) (651) 296-9457

Sen. Ann Rest (DFL-NewHope) (651) 296-2889,

[<http://www.senate.leg.state.mn.us/members/sendis45_email.htm>](http://www.senate.leg.state.mn.us/members/sendis45_email.htm)

Sen. Rod Skoe (DFL-Clearbrook) (651) 296-4196;

Sen. Dallas Sams (DFL-Staples) (651) 297-8063

[<http://www.senate.leg.state.mn.us/members/sendis11_email.htm>](http://www.senate.leg.state.mn.us/members/sendis11_email.htm)

Sen. Steve Murphy (DFL-RedWing) (651) 296-4264,

[<http://www.senate.leg.state.mn.us/members/sendis28_email.htm>](http://www.senate.leg.state.mn.us/members/sendis28_email.htm)

Sen. Paul Koeirng (R-Ft. Ripley) (651) 296-4875; Sen. Betsy Wergin (R-Princeton) (651)

296-8075; Sen. Gary Kubly (DFL-Granit Falls) (651) 296-5094; Sen. Becky Lourey

(DFL-Kerrick) (651) 296-0293; Sen. Sean Nienow (R-Cambridge) (651) 296-5419; Sen.

David Hann (R-Eden Prairie)

3. A note to Sen. Julie Rosen (R-Fairmont) and Sen. Steve Dille (R-Dassel) would be nice if they are your senators.

Senate File 2108 is on-line at: [<http://www.revisor.leg.state.mn.us/cgi-bin/getbill.pl?session=ls83&version=latest&session_number=0&session_year=Regu&number=sf2108>](http://www.revisor.leg.state.mn.us/cgi-bin/getbill.pl?session=ls83&version=latest&session_number=0&session_year=Regu&number=sf2108)

n67. Id. 1, commentary.

- - - - -End Footnotes- - - - -

The Model Provisions recommend a nominating commission composed of seven members: either three lawyers and four non-lawyers, or vice versa. n68 An alternative model is a seven member commission, with a chief justice or presiding judge serving as chair ex-officio. n69 Commissioners should be residents of the same state or judicial district in which the vacancy arose. n70 The lawyer members are appointed or elected by the state bar and the non-lawyers are appointed by the governor. n71 Appointments are made with "due consideration to geographic representation and without regard to political affiliation." n72 Commissioners may not hold any other political office for which monetary compensation is received, nor may they hold such an office for three (or four) years after serving as a nominating commissioner. n73

- - - - -Footnotes- - - - -

n68. Id.

n69. Id. 2, alternative B.

n70. Id.

n71. Id.

n72. Id. The new diversity provisions for commissioners are discussed in infra notes 457-63 and accompanying text.

n73. Model Provisions 2, alternative B.

- - - - -End Footnotes- - - - -

The recommendation that the appointing authority be presented with not less than two, nor more than five nominees' names is explained in this way:

Although the number of names submitted to the governor need not be fixed at five, the number should be sufficiently low so that the commission nominates only the most qualified candidates. Five names appears to be the optimum because it gives the governor a real choice while limiting the governor's appointing power. [Commissions in rural areas] ... may have difficulty finding five qualified nominees and should therefore be allowed the flexibility to submit fewer [*16] names. n74

- - - - -Footnotes- - - - -

n74. Id. 1, commentary.

- - - - -End Footnotes- - - - -

Helen

From: "Mason and Gwen Myers" <salmyers@ix.netcom.com>
To: "Stephanie Henriksen" <dkamis@rconnect.com>; "Sally Sawyer" <ssawyer@lwwmn.org>; "Nancy Witta" <nawit@usfamily.net>; "Allene Moesler" <amoesler@cvtel.net>; "Helen Palmer" <helenpalmer@mn.rr.com>
Sent: Sunday, March 21, 2004 11:43 PM ✓
Attach: A.Alert Ag 3.21.04.rtf
Subject: A.Alert on Feedlot protection??

Here's an alert on Stephanie's bill. Allene must be gone, so I just used the LSP alert and checked the bill. It should go out first thing tomorrow morning and I won't be home in the morning, so could someone else send it out, please? Gwen

LWVMN ACTION ALERT 3/21/04

Further Exemptions from "Nuisance" Lawsuits for Feedlots??

SF2866 will be heard on Tuesday, 3/23/04

LWV Position

LWVUS Position: Promote public understanding and participation in decision making as essential elements of responsible and responsive management of our natural resources.

LWVMN Position: Support of a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment.

Action:

Please call or e-mail members of the Senate Judiciary Committee before Tuesday at 12:30 and urge opposition to SF2866, a bill which would exempt most large feedlots from "nuisance" lawsuits. SF2866 is authored by Senator Rod Skoe (DFL-Clearbrook) and co-authored by Senators Jim Vickerman (DFL- Tracy), Dallas Sams (DFL-Staples), Julie Rosen (R- Fairmont)) and David Hann (R- Eden Prairie).

Background:

When regulatory officials and the operator of a feedlot refuse to take action to correct a nuisance, like air and water pollution, the courts are the last option for neighbors of the operation. This bill would take that from them. Current law already provides generous exemptions to the operators of feedlots against nuisance lawsuits. This bill unreasonably extends that protection. For example, current law does not provide exemptions from a nuisance suit when the facility causes injury or direct threat of injury to the health and safety of any person. This bill exempts feedlots from nuisance suits even in instances of injury or direct threat of injury.

Recent court rulings have found that not only is the manager of the confinement feedlot liable for damages in a nuisance suit, but the company who owns the animals is also liable. Now that these integrators, such as Christensen Farms, Wakefield Pork, and Holden Farms, are potentially liable, they want to take away neighbors' rights to protect themselves and recover damages.

Please take action to stop Senate File 2866! Call or e-mail members of the Senate Judiciary Committee and tell them the current law should not be weakened. Factory farms do not need any more special protections!

personnel ballot

For those states that follow the process of retention by the electorate, the Model Provisions recommend an uncontested retention election. n94 In addition, retention election ballots are separate from ballots for other public offices, and divided by sections corresponding to the different courts for which there are retention candidates. n95 The sole issue on the ballot is whether or not the candidate (sitting judge) should be retained. n96

retention election

-Footnotes-

n94. Id. at Rule 8.

n95. Id.

n96. Id.

-End Footnotes-

In 1994, the AJS Executive Committee approved an amendment to the Model Provisions regarding the composition of nominating commissions. The amendment provides, "All appointing authorities shall make reasonable efforts to ensure that the commission substantially reflects the gender, ethnic and racial diversity of the jurisdiction." n97

diversity

-Footnotes-

n97. Id. 2, alternative A, B.

-End Footnotes-

D.E.

Another new part was added to the Model Provisions ~~in 1994~~. n98 Part 4 now recommends that merit plans establish two Commissions on Judicial Performance Evaluation, one for appellate judges and another for trial judges. n99 The purposes underlying the creation of these commissions are to:

New Jud. Performance Eval.

-Footnotes-

n98. Model Provisions, Part 4, Implementing a Retention Evaluation Program: Model Legislation (or Court Rules) (American Judicature Society, 1994).

n99. Id. 2, 3.

-End Footnotes-

(1) provide persons voting on the retention of justices and judges [*18] with fair, responsible and constructive information about judicial performance; (2) facilitate self-improvement of all such justices and judges; (3) promote appropriate judicial assignments; (4) identify the need for an improvement of the content of judicial education programs; and (5) increase public awareness of the work of the judiciary. n100

Under the Model Provisions, the judicial performance commissions may also conduct midterm performance evaluations for judges not standing for retention.

Senate Judiciary Committee (members listed in order of priority)

Chair Sen. Don Betzold (DFL-Fridley) 651-296-2556 E-mail: sen.don.betzold@senate.mn

Sen. Wes Skoglund (DFL-Mpls) 651-296-4274 E-mail: sen.wes.skoglund@senate.mn

Sen. Ann Rest (DFL-New Hope) 651-296-2889 Email: Use Mail Form provided at
http://www.senate.leg.state.mn.us/members/sendis45_email.htm

Sen. Richard Cohen (DFL-St. Paul) 651-296-5931 Email: Use Mail Form provided at
http://www.senate.leg.state.mn.us/members/sendis64_email.htm

Sen. John Hettinger (DFL-St. Peter) 651-296-6153 Email: Use Mail Form provided at
http://www.senate.leg.state.mn.us/members/sendis23_email.htm

Sen. Warren Limmer (R-Maple Grove) 651-296-2159 E-mail: sen.warren.limmer@senate.mn

Sen. John Marty (DFL-Roseville) 651-296-5645 Email: sen.john.marty@senate.mn

Sen. Thomas Neuville - R: 651-296-1279 E-mail: sen.thomas.neuville@senate.mn

Sen. Julianne Ortman - R: 651-296-4837 E-mail: sen.julianne.ortman@senate.mn

Sen. David Hann - R: 651-296-1749 E-mail: sen.david.hann@senate.mn

deliberations," however, are "secret and confidential" n84 in order to "encourage free and open discussion of the candidates' qualifications." n85 Additional rules of confidentiality shall be determined by each commission, n86 with the admonition that commission proceedings should be "as open as possible." n87

- - - - -Footnotes- - - - -

n83. Id. at Rule 5(a).

n84. Id. at Rule 5(b).

n85. Id. at Rule 5, commentary.

n86. Id. at Rule 5(c).

n87. Id. at Rule 5, commentary.

- - - - -End Footnotes- - - - -

Names are submitted to the governor in alphabetical order, and an optional confidential memorandum may accompany the list of nominees [*17] to "state facts concerning each of the nominees listed." n88 The governor then makes the names of the nominees public and encourages public comment about them. n89 "This is the point at which public preferences are appropriately voiced. By providing the opportunity for public participation, the governor also fosters public confidence in the final appointment." n90 Should the governor request additional information about a nominee, the commission may provide it in the form of a memorandum without indicating any commission preference. n91

- - - - -Footnotes- - - - -

n88. Id. at Rule 6(a), (b).

n89. Id. at Rule 6(c).

n90. Id. at Rule 6, commentary.

n91. Id. at Rule 5, commentary.

- - - - -End Footnotes- - - - -

The Model Provisions recommend that candidates for membership on the nominating commission be a resident of the state for three years. n92 This is included to ensure that commissioners "have knowledge of the state and of the community," an important quality since commissioners "sit in place of the electorate when selecting public officials." n93

- - - - -Footnotes- - - - -

n92. Id. at Rule 7(a).

n93. Id. at Rule 7, commentary.

- - - - -End Footnotes- - - - -

Helen

From: "David Kamis" <dkamis@rconnect.com>
To: <salmeyers@ix.netcom.com>; <amoesler@cvtel.net>; <helenpalmer@mn.rr.com>;
 <mlhill@mninter.net>
Sent: Monday, March 22, 2004 1:33 AM
Attach: Action Alert Ag- sf2108 2.21.04.doc
Subject: LWVMN Alert on SF2866

ACTION ALERT TO PRESERVE CITIZEN RIGHT TO NUISANCE COMPLAINT AGAINST A FEEDLOT - MAR. 22, 2004

Oppose SF2866 exempting feedlots from a nuisance complaint

Authors: Sen. Rod Skoe (DFL- Clearbrook), and co-authors Vickerman (DFL- Tracy), Sams (DFL-Staples), Rosen (R-Fairmont) and Hann (R-Eden Prairie).

LWVMN Position: Ensuring that corporate farms be held liable for their share of losses, environmental damage, public health hazards.

Background

Senators Skoe, Vickerman, Sams, Rosen and Hann have introduced a bill (SF2866) that would deny the basic right of citizens to file a nuisance complaint against a feedlot operation. A nuisance complaint can be a last resort for neighbors when the operator of a feedlot, with the help of regulatory officials, will not take action to correct a nuisance.

The nuisance law was already weakened in 2001, denying neighbors the right to a complaint involving changes to cropping practices (such as pollen drift).

Recent court rulings in regard to feedlots may have inspired the additional changes found in SF2866. Not only is the manager of a confinement feedlot liable for damages, but also the company that owns the animals such as Christensen Farms, for example.

Your calls or emails against SF2866 are needed to all members of the Senate Judiciary Committee before their meeting 12:30 Tuesday, Mar. 23, Capitol 112.

Action

(add the section from LSP alert)

Senate File 2866 is on-line at:

*not fair
to give
special
protection
to big
feedlots -
they should
be liable
for damages*

does not support the notion of a "right of franchise" for judicial selection, the method of selection historically being a function of what the people in any given states, through their elected representatives, choose as their preferred system. Also, popular control and accountability is retained under merit selection by the retention election component of almost all merit plans; (2) merit selection may not eliminate politics, but it serves to reduce the "improper" politics inherent in the electoral system, as I point out in part V(F), infra; (3) diversity rules and statutory provisions are addressing the lack of representativeness in nominating commission membership, as I explain in part VI(B), infra; (4) judges, in general, whether they be elected or appointed, are rarely removed through contested elections or retention elections. A vigilant and adequately funded judicial conduct mechanism, however, is an integral part of any method of judicial selection, broadly defined, and provides a more effective means of removal of those judges that should be removed than the electoral system; and (5) a process by which a nominating commission recruits, screens, investigates, interviews, and selects a short list of the most qualified applicants for judicial office probably serves to educate the commission members, as representatives of the public, more about the candidates than a judicial election can educate the general public. Judicial ethics requirements being what they are, there is very little about which judges can publicly campaign. My purposes here, however, are not to debate all issues surrounding merit selection, but to (1) provide as objective a review of the status and empirical research about merit selection as is possible to inform policymakers, and (2) show how certain procedural recommendations of the AJS Model Provisions and the variety of rules of nominating commissions, as reflected in the tables in Appendix A, address emerging merit selection issues.

- - - - -End Footnotes- - - - -

C. The AJS Model Judicial Selection Provisions

In 1984, AJS developed a model statute for the establishment of a [15] merit plan. n65 Under the Model Judicial Selection Provisions ("Model Provisions"), the gubernatorial appointment power is restricted to a list of two to five nominees selected by a seven member judicial nominating commission. n66 This model of judicial selection is a means of diffusing the gubernatorial appointment power. As explained in the Model Provisions, "the separation of functions allows for independent and nonpartisan evaluations and nominations by a responsible commission and final appointment by a governor who is politically accountable." n67

- - - - -Footnotes- - - - -

n65. Model Judicial Selection Provisions (American Judicature Soc'y, 1984, revised 1994) [hereinafter Model Provisions]; infra Appendix B. The Model Provisions contain a model executive order for states in which a governor, or cities in which a mayor, decide to establish a merit plan as part of their appointment powers, whether it be applicable to initial or interim judicial appointments. Id. at part 3.

n66. Id. 2.

Please take action to stop Senate File 2866! Call members of the Senate Judiciary Committee and tell them the current law should not be weakened and that factory farms do not need any more special protections!

Senate Judiciary Committee members listed in order of priority.

- ✓ Chair Sen. Don Betzold - DFL: 651-296-2556 E-mail: sen.don.betzold@senate.mn
- ✓ Sen. Wes Skoglund - DFL: 651-296-4274 E-mail: sen.wes.skoglund@senate.mn
- ✓ Sen. Ann Rest - DFL: 651-296-2889 Email: Use Mail Form provided at http://www.senate.leg.state.mn.us/members/sendis45_email.htm
- ✓ Sen. Richard Cohen - DFL: 651-296-5931 Email: Use Mail Form provided at http://www.senate.leg.state.mn.us/members/sendis64_email.htm
- ✓ Sen. John Hottinger - DFL: 651-296-6153 Email: Use Mail Form provided at http://www.senate.leg.state.mn.us/members/sendis23_email.htm
- ✓ Sen. Warren Limmer - R: 651-296-2159 E-mail: sen.warren.limmer@senate.mn
- ✓ Sen. Thomas Neuville - R: 651-296-1279 E-mail: sen.thomas.neuville@senate.mn
- ✓ Sen. Julianne Ortman - R: 651-296-4837 E-mail: sen.julianne.ortman@senate.mn
- Sen. David Hann - R: 651-296-1749 E-mail: sen.david.hann@senate.mn

*Call
Mills*

2. Update on Senate File 717, the "Alien Ownership" bill:

Senator Dallas Sams (DFL-Staples) resurrected the "Alien Ownership" bill which he voted against last year in conference committee after much grassroots pressure, and has introduced it this year with himself as chief author. The bill passed through the Senate Judiciary Committee and is headed to the Senate floor. It could be voted on any day now. The MN Dept. of Ag testified in support of the bill. Though LSP members were there to testify in opposition, we were not allowed to speak.

Senate File 717 would allow holders of E-2 non-immigrant investment visas to own Minnesota farmland. The bill is designed to allow foreign investors to finance mega-dairy operations in Minnesota. LSP supports current Minnesota law, which already allows immigrants to own farmland.

Here's what long-time LSP member and dairy farmer Bill McMillin says: "Current Minnesota law allows immigrants to own farmland and that has been good for our rural communities. This bill is about non-immigrant foreign investors. Special privileges should not be given to wealthy outside investors who can afford to buy their way in. It puts Minnesota farmers, including immigrants, at a disadvantage when we have to compete for land with large amounts of foreign capital."

Calls are needed to all state senators and state representatives, telling them to oppose Senate File 717. If you do not know the name of your legislators you can get their name and contact information by calling 1-800-657-3550 for House information and 888-234-1112 for Senate information.

Read the Agri-News editorial "Deep Six Alien Ownership; move onto better bills" that opposes Senate File 717 at

-----Footnotes-----

n121. See supra note 2 and accompanying text.

n122. See 1994 R.I. Pub. Laws; 2346sb, 2348sb.

-----End Footnotes-----

Four states - Delaware, Hawaii, Massachusetts, and Nebraska - currently use merit selection for judicial appointments for every level of court in the state. n123 In twenty-three states, supreme court justices are initially appointed under a merit plan. n124 In nine states, merit plans are only used to fill interim vacancies for the supreme court. n125

-----Footnotes-----

n123. See infra Appendix A, Table 1.

n124. Alaska, Arizona, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Indiana, Iowa, Kansas, Maryland, Massachusetts, Missouri, Nebraska, New Mexico, New York, Oklahoma, South Dakota, Tennessee, Utah, Vermont, and Wyoming. Infra Appendix A, Table 1.

n125. Georgia, Idaho, Kentucky, Montana, Nevada, North Dakota, Pennsylvania, Wisconsin, and West Virginia. Id. See generally Lyle Warrick, Judicial Selection in the United States: A Compendium of Provisions 9, 11 (2d ed. 1993).

-----End Footnotes-----

In sixteen states, intermediate appellate judges are appointed under a merit plan. n126 In six states, these judges are appointed under a merit plan for interim vacancies only. n127 As for trial judges, Table 1 shows the range of general and limited jurisdiction trial judgeships that are filled through the merit selection process, both for initial and interim appointments.

-----Footnotes-----

n126. Alaska, Arizona, Colorado, Connecticut, Florida, Indiana, Iowa, Kansas, Massachusetts, Maryland, Missouri, Nebraska, New Mexico, New York, Tennessee, and Utah. Infra Appendix A, Table 1.

n127. Georgia, Idaho, Kentucky, Pennsylvania, Wisconsin, and West Virginia. See infra Appendix A, Table 1.

-----End Footnotes-----

States may establish more than one nominating commission, [*21] depending on the level of court for which merit selection has been adopted. The number of commissions in a given state ranges from a low of one, such as in Hawaii, to a high of ninety-nine, one for every county in the State of Iowa. n128

-----Footnotes-----

Helen

From: "David Kamis" <dkamis@rconnect.com>
To: <salmyers@ix.netcom.com>; <amoesler@cvtel.net>; <helenpalmer@mn.rr.com>;
<ssawyer@lwwmn.org>; <mlhill@mninter.net>
Sent: Sunday, March 21, 2004 3:20 PM
Subject: LSP alert on SF2866

Gwen and Allene,

Here is the LSP alert on SF2866. I thought it was heard Monday tomorrow, but if it's Tuesday March 23 as it says here, maybe there's still time to get the LWV alert out. I am going to rest now after being up 48 hours.

Steph

From: Land Stewardship Project <lspwbl@landstewardshipproject.org>
To: LSP Members <lspwbl@landstewardshipproject.org>
Subject: Calls needed to stop pro-factory farm legislation
Date: Fri, Mar 19, 2004, 5:57 PM

Dear LSP member,

Your help is needed to stop 2 bills that would pave the way for more factory farms in Minnesota.

1. Proposed legislation that would exempt most large feedlots from nuisance lawsuits will be heard in the Senate Judiciary Committee on Tuesday, March 23. Senate File 2866 is authored by Senator Skoe (DFL- Clearbrook) and co-authored by Senators Vickerman (DFL- Tracy), Sams (DFL- Staples), Rosen (R- Fairmont)) and Hann (R- Eden Prairie).

When regulatory officials and the operator of a feedlot refuse to take action to correct a nuisance, the courts are the last option of neighbors who are adversely affected by the operation. This bill would take that from them. Current law already provides generous exemptions to the operators of feedlots against nuisance lawsuits. This bill unreasonably extends that protection. For example, current law does not provide exemptions from a nuisance suit when the facility causes injury or direct threat of injury to the health and safety of any person. This proposed bill exempts feedlots from nuisance suits even in instances of injury or direct threat of injury.

Recent court rulings have found that not only is the manager of the confinement feedlot liable for damages in a nuisance suit but also the company who owns the animals. Now that these integrators, such as Christensen Farms, Wakefield Pork, and Holden Farms, are potentially liable, they want to take away neighbors rights to protect themselves and recover damages.

n128. Id.

- - - - -End Footnotes- - - - -

JNC

C. Composition of Nominating Commissions

The size of nominating commissions also varies widely nationwide. The smallest commissions identified have five members, while the largest is the Massachusetts commission with twenty-three members. n129 Nominating commissions in most states include non-lawyers, in numbers that may be less than, n130 equal to, n131 or more than n132 the number of attorneys on the commission. Some states merely prescribe the number of commissioners without specifying the required composition of the panel with respect to the lawyer versus lay membership ratio. n133

- - - - -Footnotes- - - - -

n129. Id.

n130. E.g., Delaware.

n131. E.g., Connecticut.

n132. E.g., Arizona.

n133. E.g., Massachusetts.

- - - - -End Footnotes- - - - -

The terms of office for commissioners range from a low of one year n134 to a high of six years. n135 Some states, usually those with an executive order merit plan, provide that commissioners shall serve "at the pleasure of the Governor," without stating a specific term of office. n136

- - - - -Footnotes- - - - -

n134. E.g., Pennsylvania trial and appellate commissions.

n135. E.g., Tennessee.

n136. E.g., Massachusetts and Wisconsin.

- - - - -End Footnotes- - - - -

Nominating commission meetings are usually conducted by a chairperson. The chair may be a voting member of the commission, n137 or may be a non-voting chair ex officio. n138 Often, the chief justice of the state's supreme court or another justice is designated as the commission chair ex officio, n139 while one state specifies a law school dean for this position. n140 Chairs may also be appointed by the mayor n141 or governor, n142 or elected from among the commission's membership. n143

<http://webstar.postbulletin.com/agrinews/303469609073323.bsp>

For more information on either of these bills contact LSP organizer Bobby King at 507-523-3366, or LSP organizer Paul Sobocinski at 507-342-2323 or 507-430-1509 (cell).

P.S. LSP sends out occasional action alerts via e-mail. These alerts cover a variety of issues of interest to our members. Please feel free to forward this message to friends, co-workers or family who may be interested in these issues and encourage them to respond to this alert and to join Land Stewardship Project. For membership information, visit our web site at <http://www.landstewardshipproject.org/index-joinus.html>

If you prefer not to receive these alerts, please reply to this e-mail and type "no e-mail" in the subject line.

3/21/2004

jurisdiction. Relevant portions of the Handbook will be referred to in the discussion of rules of procedure for nominating commissions.

-Footnotes-

n116. Marla N. Greenstein, Handbook for Judicial Nominating Commissioner (1985) [hereinafter Handbook].

-End Footnotes-

III. Current Status of Merit Selection

A. Sources of Authority

OST Table 1 in Appendix A provides information about the scope of merit selection plans as gleaned from state constitutions and legislation. The table reflects the wide variation of existing plan structures. Currently, merit plans are in place by virtue of constitutional provisions in [*20] seventeen states, n117 by statutory provisions in three states and the District of Columbia, n118 by executive orders in seven states, n119 and by a combination of these in seven states. n120

-Footnotes-

n117. Alabama, Colorado, Connecticut, Florida, Hawaii, Kansas, Kentucky, Missouri, Montana, Nebraska, Nevada, New Mexico Oklahoma, South Dakota, Utah, Vermont, and Wyoming. Infra Appendix A, Table 1.

n118. Idaho, Minnesota, Tennessee, and District of Columbia. Infra Appendix A, Table 1.

n119. Delaware, Georgia, Maryland, Massachusetts, Pennsylvania, West Virginia, and Wisconsin. Infra Appendix A, Table 1.

n120. Alaska, Arizona, Indiana, Iowa, New York, and North Dakota, and Rhode Island (pending approval of constitutional amendment). Infra Appendix A, Table 1.

-End Footnotes-

B. Scope of Merit Selection

H The merit plan, as noted earlier, n121 was first implemented in Missouri and has since also come to be known as the "Missouri Plan." The most recent adoption of merit selection occurred in Rhode Island in 1994, when merit selection was adopted by statute for trial judges. n122 AJS continues to receive numerous inquiries about merit selection from court reformers in a number of states, including Pennsylvania, West Virginia, Louisiana, Texas, and Florida.

so it was changed

Where is ?

MN has no "merit" plan

OST

Helen

From: "David Kamis" <dkamis@rconnect.com>
To: <jstadtherr@tds.net>
Cc: <helenpalmer@mn.rr.com>
Sent: Tuesday, January 06, 2004 9:01 PM
Subject: State study of Dept. of Ag?

Jan,

Wonderful coverage of the Strategic Animal Agriculture Conference in your Willmar area LWV monthly newsletter--thanks for the copy. Our next "Catalyst" comes out after the Jan. 8 event., but I did submit this piece for it.

Commissioner of Agriculture Gene Hugoson has said that regulation must not stand in the way of expansion in livestock.. I would like to see a state study of the Dept. of Agriculture (see if its mission matches what's going on in practice). Helen Palmer is interested in such a study too. If Willmar and Northfield each asked for it, maybe it would be considered. I see state issues for study will be a topic at your Jan. 12 meeting.

Stephanie Henriksen
 1866 130th St. E.
 Dundas, MN 55019
 507-645-7086

Unless bad weather and my ear infection prevent it, I'll be there Thursday. I made a reservation by phone (\$20) but have not paid yet. Call if one of your members would want to go in my place.

From: "David Kamis" <dkamis@rconnect.com>
To: zorn@rconnect.com , bobciernia@msn.com , rmc@lifeskillsed.com , syc@lifeskillsed.com
Subject: Petri/Catalyst
Date: Mon, Jan 5, 2004, 7:34 AM

Preserving Grassroots Government in Minnesota

LWVMN came out with a state position on agriculture in 2001 after a two-year study. The position has given more direction to our ACTION lobbyists at the Capitol. Allene Moesler of the Cannon Falls League did a superb job handling both agriculture and environment bills this past year. Here is the position in brief:

"Support of a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment."

Despite Allene's efforts and that of other members of Minnesota Environmental Partnership (MEP), of which LWVMN is an associate member, we did suffer a major loss last session. Citizens lost the right dating back to 1971 under the Minnesota Environmental Policy Act (MEPA) to petition for environmental review of large feedlots before they are built. MEP issued a statement on Earth Day 2003 asking legislators to vote NO on HF1202 (Dennis Ozment, author) and SF1281 (Dallas Sams, author). It ends this way:

"No industry should be able to carve out as large an exemption from environmental review as this legislation proposes. Development need not come at the expense of the environment, or our democratic right to petition for environmental review."

Last Session was grim, but this next one could be worse. Department of Agriculture and lobbyists for livestock groups have indicated they will be pressing for removal of township zoning. NOTE: Townships can be more restrictive, not less, than counties in regard to feedlot siting and setbacks, for example. Actual pollution control is set at state level through Minnesota Pollution Control Agency and carried out in delegated counties by a county feedlot officer.

The seal of Minnesota Association of Townships carries the phrase "grassroots government of Minnesota".

It's government closest to the people, a concept supported by most Minnesotans. We will see how Sen. Neuville and Rep. Cox respond to the ag question on the League Legislative List from the state office this year. It reads, "Would you support a bill this session that restricts or removes township control of certain large development projects such as aggregate mining and feedlots?"

Dakota County townships including Waterford have their own zoning and issue building permits. They have provisions for feedlots, aggregate mining and other development in place. None of the fourteen townships in Rice County are currently engaged in zoning, but two of them did make a move in that direction in recent years. Webster Township supervisors installed a moratorium on feedlots over a certain size (more restrictive than the county) and Morristown Township placed a moratorium on housing over a certain number per 160 acres (again, more restrictive than the county) to preserve their ag land. Unfortunately, I'm told that both moratoriums ended without a comprehensive plan in place.

On a positive note, the Association of Townships is expected to defend against any loss of authority at the 2004 Animal Agriculture Conference in Willmar on Jan. 8. What can we all do here at home? If you live in a township and have never attended a monthly meeting, why not make an appearance. See grassroots government at work. Don't know the day? Just call me. I keep the list on my kitchen cupboard.

Stephanie Henriksen, former member of ACTION committee

*Allene will be gone January-February. Anyone interested in covering ag/environment for a few weeks please call.

The LWVMN believes that the state should encourage a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment. State policy should support research and technical assistance in farming practices and rural economies that improve the economic viability of family farms, environmental health, and the quality of life of family farmers and their communities.

The LWVMN holds that the family farm (see *Note, p. 2*) is the most socially desirable mode of agricultural production, and contributes to the stability of rural communities. The LWVMN views family farmers as those most likely to practice stewardship of the land in order to preserve it for future generations, participate in the economy and social life of their communities, and ensure diversity on the land.

The LWVMN believes that state of Minnesota should support family-owned, moderate- and small-sized farms. Specifically, the LWVMN believes that the state should promote

- research directed to moderate- and small-sized farm operations
- support for beginning farmers
- innovative practices and crops for moderate- and small-sized farms
- farmer-controlled cooperatives which serve moderate- and small-sized farms

Further, the state of Minnesota should

- ensure access to markets for all producers
- provide crisis supports based on need (*"crisis" understood to be an event beyond the farmer's control such as a natural disaster*)
- monitor contracts for the protection of farmers
- ensure that corporate farms be held liable for their share of losses, environmental damage, public health hazards, etc.

In the interest of preserving and enhancing the environment, the LWVMN strongly favors a state agricultural policy which includes

- incentives for sustainable farming practices
- incentives for contributions to clean water and air, healthy soil and conservation of wildlife
- incentives for the preservation of agricultural land
- shared liability for environmental damage (caused by agriculture) between farmers and businesses under contract

Because of concerns for both animal and human health as well as ethical issues relating to the treatment of animals, the LWVMN believes the state should promote stricter standards for animal confinement operations.

The LWVMN believes that in order to promote the stability of rural communities, the state of Minnesota should support

- community and regional planning
- education (retraining, farm management, marketing, etc.)
- infrastructure
- liveable wages for workers
- crisis assistance
- development of leadership skills
- networking with farmers and community leaders
- research into viable and sustainable rural communities.

Exports should be promoted as long as this does not hold priority over promotion of a local/regional food system.

The LWVMN supports research into genetically modified foods if the purpose of such research is to ensure the long-term safety of GMO food and crops, to advance basic research knowledge, to benefit sustainable agricultural practices, and to serve the public good.

NOTE on terms used:

Family farm generally implies that the family owns and lives on the land, provides most of the labor, assumes the economic risk, and makes management decisions.

According to the Minnesota Institute for Sustainable Agriculture, sustainable agriculture seeks to balance three long-term goals:

- quality of life (to satisfy personal, family, and community needs for health, safety, food, and happiness);*
- environment (to enhance finite soil, water, air, and other resources);*
- economics (to be profitable).*

In any given situation, the most sustainable choice is the one where the net effects come closest to meeting all three goals.

The LWVMN believes that the state should encourage a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment. State policy should support research and technical assistance in farming practices and rural economies that improve the economic viability of family farms, environmental health, and the quality of life of family farmers and their communities.

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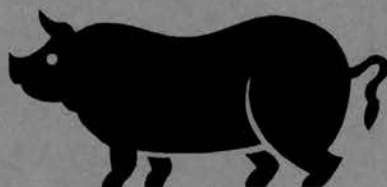
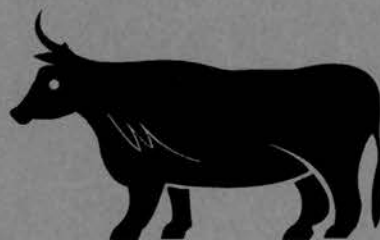
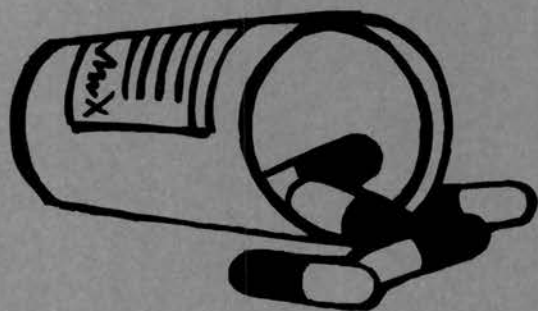
A panel discussion representing public health,
veterinary science, farming, the feed industry,
and state legislature.

Saturday, May 18, 2002, 10am-12pm
Malcolm Moos Health Sciences Tower,
University Hospital

515 Delaware Street SE, Minneapolis

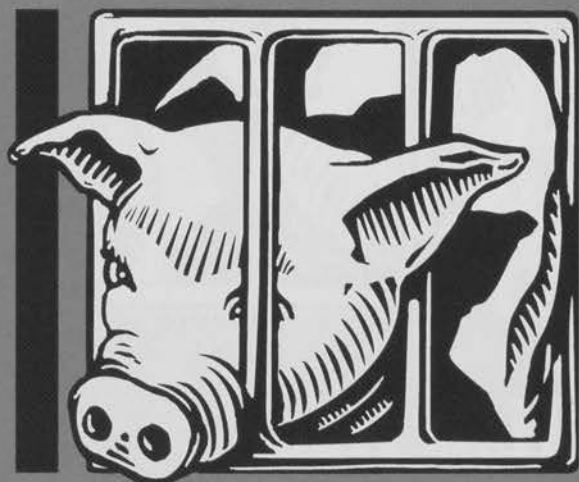
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Subject: Re: "Curse of Factory Farms"

Date: Tue, 03 Sep 2002 15:03:24 -0500

From: Helen & Dean Palmer <thepalmers@visi.com>

To: letters@nytimes.com

To the Editor:

Re: "The Curse of Factory Farms" (editorial, August 30)

Factory farms are a disgrace to this country. They constitute an assault on the land, water, and air; they are unjust to independent farmers and rural communities and are staggeringly cruel to animals. They pose threats to our health and make our food supply vulnerable. Ultimately, the concentration of power which supports the factory farm system weakens us as a democratic society.

Factory farms are not inevitable. They have resulted from choices, and we can choose to practice sustainable farming. I believe future generations will look back upon the current practice of factory farming as unworthy of a civilized nation.

Helen B. Palmer
2405 Sheridan Avenue South
Minneapolis, MN 55405
612.377.5972

increase. This is mainly due to a lack of proper land area for spreading manure.... As the density of ans in a watershed increases, there is an increasing impact on surface water quality." G10

Animal ag in MN largely cattle, hogs, chickens and turkeys.

"Animal manure has been land-applied for centuries to supply nutrients for improving crop growth and yield. Within the last gen, however, concern that an manure may be degrading water resources has increased. Reasons for this have been due largely to poor manure applic practices, disposal of manure at high app rates, and greater concentrations of ans assoc with modern livestock prod systems." G11

WATER EXEC SUMM G-1ff

surface runoff from feedlots, spills from manure storage lagoons, tile drain effluent from lands receiving excessive manure and fert. applics, leaching losses from lands receiving excessive apps of manure and fert, and seepage of manure from waste storage lagoons--all can degrade surface water qual. Poor mgt of grazing ops can cause degrad of stream water qual, aquatic habitat, and riparian habitat.

Primary source of watershed impairment by nitrogetn is from fertilizers. Nutrient losses from well mged cropland or grazed pastures are usually small and are comp. to the small losses observed on rotationally grazed lands.

Insist on good mgt

WHENEVER ANYBODY TALKS ABOUT EFFICIENCY, TALK ABOUT COST-AVOIDANCY

NB" I have not dealt with the environmental effects of genetically engineered crops--eg the butterfly scare (see EDF sheet) or herbicide-resistant crops Tell JoAnne about the Yorker article 4/10/2000 (photocopy?) Someone neds to talk about genetic drift from neighboring farms, eg -- see LSP letter The fact that they're not testing.. Rachel's Weekly May 11 2000 Unpredctability the danger-see "Hazards..." See also email July 11 1999, where find fact that the potato is a pesticide

On Terminator Seed and risk of pollen transferring to nearby plants.. see the Gene Exchange

Def'ns:

sustainable ag: specific practices to control soil erosion, decrease fert and chem use, conserve water resources while maintaining profita

LWVMN Testimony, GEIS hearing 9/10/01
Dr Paul

Thank you for allowing me to speak. My name is Nancy Witta and I am speaking on behalf of the League of Women Voters of Minnesota. The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government and influences public policy through education and advocacy.

The LWVMN believes that the state should encourage a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment.

- We support all GEIS policy recommendations which
 - a. provide *real enforcement* (hence real funding) of current laws which protect Minnesota's land, air, and water, human health
 - b. *strengthen* this protection
- we strongly support the use of *incentives* for sustainable farming practices, for contributions to clean water and air, healthy soil and conservation of wildlife and for the preservation of agricultural land. We therefore support policy recommendation #72 which encourages the development of alternative agriculture production systems in MN, and policy recommendation #73 which encourages the use of "Green Payments".
- we believe that the subtherapeutic use of antibiotics in food animals is of critical concern: LWVMN is planning a public forum on this issue.
- In a democracy it is crucial that citizens be informed. The League believes that the public has a right to know about pollution levels, dangers to health and the environment. Public records should be readily accessible at all governmental levels. We applaud the policy recommendations which call for more public education and participation in decisions relating to feedlots--and this means adequate funding. We are pleased to see proposals which call for complete, consistent reporting of feedlot complaints.

- *Public* money should be devoted to agricultural research, development and technical assistance and such resources should be targeted to developing sustainable agricultural practices and addressing the needs of mid-sized farms. ~~(LWVUS position)~~
- The LWVMN believes the state should promote the stability of rural communities through community and regional planning, through education (in such things as farm management, marketing, etc), by assuring livable wages for workers. The League applauds social policy recommendations which encourage community interaction.
- The League strongly supports policy recommendation #62: increase funding and information on programs which assist small and mid-size producers to fulfill environmental stewardship responsibilities, and #63 which calls for establishing and promoting marketing alternatives for small-sized producers and those not engaged in contract production.
- For reasons of health, both animal and human, as well as concerns for the ethics of animal treatment, the LWVMN strongly supports policy recommendation #65, which establishes humane codes of practice for MN animal agriculture.
- Finally, the LWVMN, which strongly supports family- and small- and moderate-sized farms, favors a number of items which we would like to see in policy recommendations:
 - support for beginning farmers
 - Innovative practices and crops for moderate- and small-sized farms
 - Farmer-controlled cooperatives which serve moderate- and small-sized farms
 - Assurance that corporate farms be held liable for their share of losses, environmental damage, public health hazards, etc.

Thank you very much. I will provide you with a copy of my comments.

Subject: This Steer's Life

Date: Mon, 01 Apr 2002 08:26:43 -0800

From: Mark Riskedahl <msr@nedc.org>

Organization: Northwest Environmental Defense Center

To: cwn-feedlots@igc.topica.com

I have pasted a fascinating article appearing in yesterday's New York Times Magazine on modern industrial beef production into the body of the message below.

Mark

New York Times Magazine
March 31, 2002

TITLE: This Steer's Life: The highly unnatural journey of No. 534, from calf to steak

BYLINE: By Michael Pollan; Michael Pollan, the author of "The Botany of Desire," is a contributing writer for the magazine. His last cover article was about organic food.



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Kathleen E. Schuler, M.P.H

Staff Scientist,

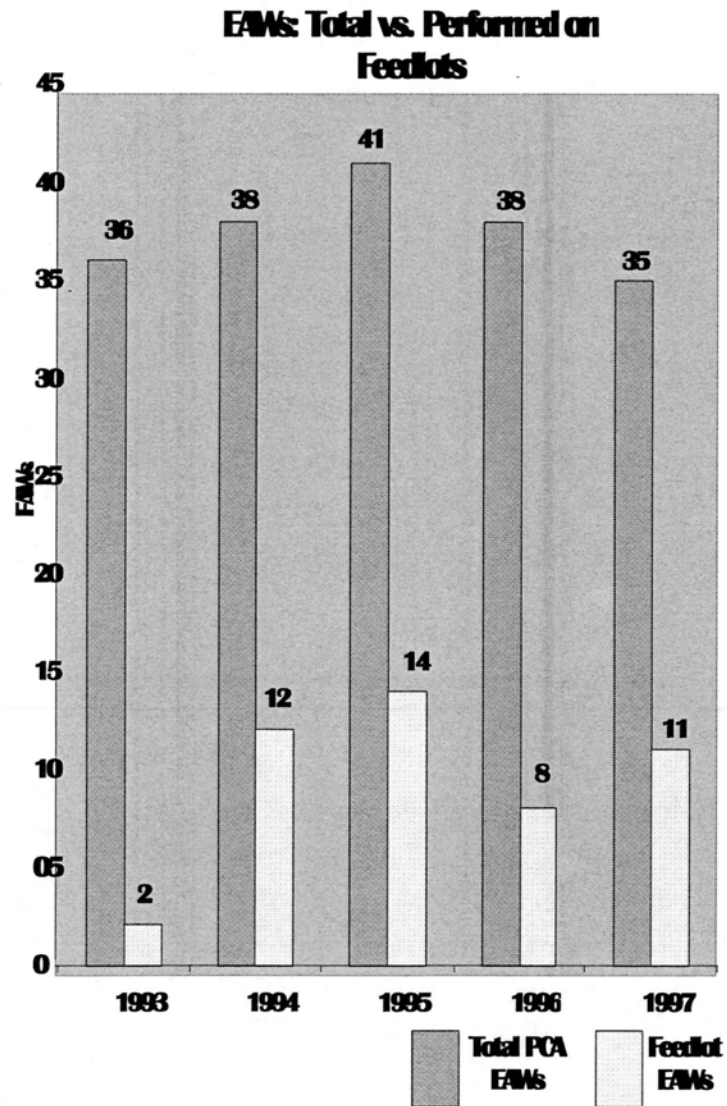
Food, Health and Agriculture Program

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Cell (651) 276-1637

kschuler@iatp.org





Clean Water Action Alliance of Minnesota is a statewide federation of diverse citizens and organizations whose goal is to protect and restore the environment now and for future generations.

We educate the public, develop grassroots citizen leadership, support environmental organizations, and mobilize grassroots involvement in decision-making at all levels.

Our common mission is to promote social values, policies and behaviors that result in economic and environmental justice for a sustainable society.

For more information contact
Clean Water Action (612) 623-3666

MEPA



The Minnesota Environmental Policy Act and Large-scale Livestock Operations

Presented by Clean Water Action Alliance of Minnesota

What is "Environmental Review"?

The Minnesota Environmental Policy Act (MEPA) of 1971 established a formal process for reviewing the environmental effects of major development projects in the state.

This process is sometimes called "environmental review".

The purpose of environmental review is to provide information to units of government of the potential environmental effects from the construction of a project before approvals or permits are issued for the project.

The EIS and the EAW

If a government unit responsible for the permitting of a project finds that there may be a "potential for significant environmental effects" from the construction of a proposed project, an **Environmental Impact Statement (EIS)** must be completed.

In some cases, the need for an EIS is based on a questionnaire about the project and its potential environmental effects which is called an **Environmental Assessment Worksheet (EAW)**.

An EAW may be prepared for two reasons:

1. It may be mandatory. An EAW is mandatory for feedlots over 1,000 animal units
2. It may be ordered by a governmental unit when twenty-five citizens petition for an EAW to be completed on a project.

Revised EAW Requirements for Animal Feedlots

Animal Units	Non-sensitive Area Loc.	Sensitive Area Loc.*
1,000 or more	Mandatory	Mandatory
501-999	May be requested	Mandatory
300-500	May be requested	May be requested
<i>Different for construction vs. expansion between 50 and 299 animal units</i>		
Construction 50-299	Exempt	May be requested
Expansion 100-299	May be requested	May be requested
50-99	Exempt	May be requested
Under 50	Exempt	Exempt

Why are MEPA and the Environmental Review Process so Important?

The environmental review and petition process is extremely important for three reasons:

1. It results in some environmental review of a project.
2. It delays a decision on a permit for a project, giving citizens and governmental units the opportunity to assess the potential environmental impacts of a project.
3. It may be the only opportunity for citizens to publicly comment on the permitting of a proposed feedlot.

Subject: Re: LWVMN agriculture pos'n

Date: Mon, 01 Apr 2002 10:20:26 -0600

From: Dana Melius <dmelius@mapa-mn.org>

To: Helen & Dean Palmer <thepalmers@visi.com>

Helen,

Thank you so much for the position paper. Rural policy and outstate Minnesota remain dear to my heart, always will. There's a great book I always recommend to new friends, Grass Roots: The Universe of Home, by Paul Gruchow. I hold it dear to me and refer to it often.

I hope to continue with our visits. I enjoyed our time. Thank you.

-- Dana Melius

Co-Executive Director

Minnesota Alliance for Progressive Action (MAPA)

1821 University Avenue, Suite S-307

St. Paul, MN 55104

651/641-4050 phone

651/641-4053 fax

dmelius@mapa-mn.org

> From: Helen & Dean Palmer <thepalmers@visi.com>

> Date: Sun, 31 Mar 2002 21:23:10 -0600

> To: dmelius@mapa-mn.org

> Subject: LWVMN agriculture pos'n

>

> Dana: While I gave you a copy of the League's study of agriculture, I

> forgot to give you a copy of the position on agriculture which LWVMN

> members reached by consensus. We can now lobby on ag issues, based on

> the attached. Thanks for your interest. Helen Palmer

>

Subject: Re: FMMAC on GEIS

Date: Mon, 17 Sep 2001 15:47:21 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: thepalmers@qwest.net, tojoro@worldnett.att.net

Helen,

FMMAC discusses the GEIS at their Wednesday meeting (Sept. 19) at Joseph's Restaurant in St. Paul--do you get the notices? It's vital we get a metro LWV observer in there to take notes and report back since we are not represented on that committee. You sat with some of them on the GEIS CAC.

Jerry Saxerud of MnCOACT is a new FMMAC member, but he doesn't have the grounding to give us good feedback yet I'm afraid. I'm hoping JoAnne Rohricht and others might go.

Also there is the problem of getting someone on the ACTION committee to cover ag and environment. Georgiana Campbell covers county board on Tuesdays and I can't keep driving alone. Could you put out feelers at tomorrow's Action meeting for both FMMAC on Wed. and the ACTION replacements for me and Georgiana? I may not get there tomorrow, have many assignments and other meetings.

Stephanie Henriksen

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: David Kamis <dkamis@rconnect.com>

Subject: Re: FW: Geis Comment for CAC

Date: Sun, Sep 16, 2001, 7:37 PM

Good job, Stephanie. By the way, there were 4 LWV members who testified in St Cloud, and I believe all submitted written copies to George. Nancy Witta read the LWVMN statement in St. Paul. I never heard LSP testify. Did they, do you know? Helen

David Kamis wrote:

From: "David Kamis" <dkamis@rconnect.com>

To: animal.ag@mnplan.state.mn.us , george.johnson@state.mn.us

Subject: Geis Comment for CAC

Date: Fri, Sep 14, 2001, 6:44 PM

Dear Mr. Johnson,

Note: I am told that today's deadline has been extended to the end of September, but I will submit this for now.

The Human Health section is of primary interest for me in your draft. As I said at the hearing in Rochester on Sept. 4, the recommendation on antibiotic use (#2) is very weak. Antibiotics should be limited to therapeutic use, period.

I do come from a family of veterinarians (my stepfather, retired, was a large

animal vet in Iowa) so I also commented in favor of the Animal Welfare recommendations, though I find the wording quite weak. The GEIS summary I took home from that hearing (being unable to call it up on our Macintosh computer) points out that the Mn Board of Animal Health deals with contagion and spread of disease (I have sat in on their quarterly meetings) and not primarily with the health and well-being issue. And that you recognize there is a gap in protection of farm animals in Minnesota (p. 176).

A veterinarian named John Fritz from Lewiston, Winona County, testified against inclusion of the animal welfare section recommendations in Rochester, saying the money would be better spent elsewhere. He told me afterward that his expertise was in dairy, not hogs or poultry, and I wish that qualification had been made to the audience. It is commonly accepted that dairy cows get much better treatment (because of replacement cost, if no other reason). Of all 18 original recommendations in the Animal Welfare TWP, I would support #11 calling for phaseouts of gestation crates for sows and battery cages for laying hens. I can't stress this enough.

To improve wording of the 4 recommendations:

#65 Change "establish" to "mandate" humane codes

#67 Leave out the word "voluntary"

#68 Change "consider" to "require"

Veterinarians are very influential on these matters--Sen. Steve Dille in particular, who is in touch with the State Board of Animal Health two or three times a week when the Legislature is in session according to staff in that office. Few practicing vets have the courage to speak out publicly. One vet's statement supportive of rotational grazing submitted for a public hearing in Northfield in 1994 never found its way into the 1995 Corporate Farm Law Task Force Report published by the Dept. of Ag, despite repeat requests.

You said at the Rochester hearing that Sen. Dille was the only veterinarian you had been able to talk to, which is very unfortunate. Dr. James Wilkus of Kenyon has been a good resource person on things like comparable potency of manures from the various livestock groups and I suggest you contact him. He now works in the Food Safety Division of USDA in Washington, DC (202-205-0252 office unless there were changes under Pres. Bush). He gets home to Kenyon frequently (507-789-6144).

My disappointment with this GEIS draft is that you admittedly did not pursue comparisons of the different production systems (p.10). Without a moratorium in place to ensure the project would proceed in earnest, the committee (overbalanced by large ag interests) was evidently able to steer clear of what should have been central to the project. It is an opportunity lost.

Stephanie Henriksen

R.I

Dundas, MN 55019



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AGRICULTURE

LWVMN Position: Support of a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment.

Helen Palmer, lobbyist, 612.377.5972

A feedlot bill (HF2965) authored by Rep. Kuisle (R-....) and its Senate companion bill (SF2664) sponsored by Sen. Scheevel (R.....) contain elements which would make it harder to protect, let alone enhance, the environment. The most serious is that the bills expand exceptions to the prohibition against release of pollutants into state waters; in short feedlot owners can be exempted from nuisance complaints to the Attorney General's office for manure discharge into waters of the state!

Further, while the bills propose a ban on new open-air swine lagoons (most big producers use pits now anyway), the ban is not a permanent one, and the bills allow exceptions to the ban for hog lagoons up to 1 million gallons under certain conditions.

The House bill is heading for the floor, and we will be watching it closely. moving quickly...

*public nuisance
actions ~~brought~~ by*

Bill headed to the floor

Subject: Karen Harder

Date: Fri, 21 Dec 2001 14:44:58 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: thepalmers@qwest.net

Helen,

I went--the item was moved to 1:30 and we didn't get out until after 5:30 pm. Rep. Ted Winter wrote a letter of support for neighbors suffering from the existing operation and now he is under fire for that. There are 3 Brake brothers and one of them ran against Ted for the House and lost twice so there are bad feelings. The MPCA Citizen Board (led by Jackie Duncanson who was promoting the Brakes) voted 6-1 against us.

On a lighter note, Karen Harder is on BOWSER board, fighting the good fight very similar to you on the GEIS. She was on a Bowser farm bill committee which put out a position statement to be signed by the governor, reaffirming the cap of 1000 au on EQIP at federal level. Then the item came back at next meeting with the bad changes BACK IN (Sharon Clark of Dept. of Ag doing Hugoson's bidding no doubt)!! She turned back that effort (as you did recently on the GEIS report) and is now working to find a rationale for keeping the 500 au cap at state level. I referred her to Paul Sobocinski today.

Karen is also on the advisory committee for environmental review revision. I told her Commissioner Studders predicted the recommendation won't be ready for another year. Karen says she doesn't trust Studders, that pieces (of Hugoson's design) may appear on bills this session.

Karen has experience in environmental regulation, tried for 2 years to get on the MPCA Citizen Board. I called her today to ask that she renew her application (Jackie Duncanson is up for renewal), but she couldn't now as member of BOWSER. Know anybody who would apply? Secy of State's office sends out the application--it's short and simple.

Karen could be a good contact.....Her email is ktharder@efg.com
4601 Emerson Ave. S.
Mpls 55409 612-824-4136
Stephanie

From: Helen and Dean Palmer <thepalmers@qwest.net>
To: David Kamis <dkamis@rconnect.com>
Subject: Re: FW: Brake ownership
Date: Mon, Dec 17, 2001, 5:57 PM

Stephanie: I've got family arriving from out of town--sorry I can't help. Can someone from the Feedlot Front go? I suppose you have contacted them. Helen

David Kamis wrote:

Helen,

Larry Green and Clyde Smith are driving up from Nobles County (4 hours so they are staying over at Kelly Inn) for the MPCA hearing on the Brake Farms hog expansion tomorrow, Dec. 18, 11 am. They have never been to MPCA and need somebody to help them get signed in to speak, etc. Any chance you could go or anyone from LWV ACTION?



Minnesota House of Representatives

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NOTE: If you cannot see any difference in the key above, you **need to** change the display of stricken and/or underscored language.

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H.F. No. 2965, 2nd Engrossment: 82nd Legislative Session (2001-2002) Posted on Feb 25, 2002

- 1.1 A bill for an act
- 1.2 relating to the environment; modifying prohibition on
- 1.3 the release of pollutants into state waters;
- 1.4 prohibiting permits for the construction of new open
- 1.5 air swine basins; modifying certain hearing
- 1.6 requirements; modifying expenditure limits for
- 1.7 upgrading feedlots; amending Minnesota Statutes 2000,
- 1.8 sections 97C.065; 116.07, subdivision 7; proposing
- 1.9 coding for new law in Minnesota Statutes, chapter 116.
- 1.10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.11 Section 1. Minnesota Statutes 2000, section 97C.065, is
- 1.12 amended to read:
- 1.13 97C.065 [POLLUTANTS IN WATERS.]
- 1.14 Subdivision 1. [PROHIBITION; PENALTIES.] A person may not
- 1.15 dispose of any substance in state waters, or allow any substance
- 1.16 to enter state waters, in quantities that injure or are
- 1.17 detrimental to the propagation of wild animals or taint the
- 1.18 flesh of wild animals. Each day of violation is a separate
- 1.19 offense. An occurring or continuous violation is a public
- 1.20 nuisance. An action may be brought by the attorney general to
- 1.21 enjoin and abate nuisance upon request of the commissioner.
- 1.22 Subd. 2. [EXEMPTIONS.] This section does not apply to
- 1.23 chemicals used for pest control for the general welfare of the
- 1.24 public, nor to discharges to waters of the state from land
- 1.25 applied manure or stockpiled manure managed under the
- 1.26 requirements of section 116.07, subdivision 7, paragraph (o).
- 1.27 Sec. 2. [116.0714] [NEW OPEN AIR SWINE BASINS.]
- 2.1 After the effective date of this section, the commissioner
- 2.2 of the pollution control agency shall not approve any permits
- 2.3 for the construction of new open air swine basins, except that a
- 2.4 facility may use an existing basin of less than 1,000,000
- 2.5 gallons as part of a permitted waste treatment program for
- 2.6 resolving pollution problems or to allow conversion of an
- 2.7 existing basin to a different animal type, provided all
- 2.8 standards are met. This section expires June 30, 2007.
- 2.9 Sec. 3. Minnesota Statutes 2000, section 116.07,
- 2.10 subdivision 7, is amended to read:
- 2.11 Subd. 7. [COUNTIES; PROCESSING OF APPLICATIONS FOR ANIMAL
- 2.12 LOT PERMITS.] Any Minnesota county board may, by resolution,

2.13 with approval of the pollution control agency, assume
2.14 responsibility for processing applications for permits required
2.15 by the pollution control agency under this section for livestock
2.16 feedlots, poultry lots or other animal lots. The responsibility
2.17 for permit application processing, if assumed by a county, may
2.18 be delegated by the county board to any appropriate county
2.19 officer or employee.

2.20 (a) For the purposes of this subdivision, the term
2.21 "processing" includes:

2.22 (1) the distribution to applicants of forms provided by the
2.23 pollution control agency;

2.24 (2) the receipt and examination of completed application
2.25 forms, and the certification, in writing, to the pollution
2.26 control agency either that the animal lot facility for which a
2.27 permit is sought by an applicant will comply with applicable
2.28 rules and standards, or, if the facility will not comply, the
2.29 respects in which a variance would be required for the issuance
2.30 of a permit; and

2.31 (3) rendering to applicants, upon request, assistance
2.32 necessary for the proper completion of an application.

2.33 (b) For the purposes of this subdivision, the term
2.34 "processing" may include, at the option of the county board,
2.35 issuing, denying, modifying, imposing conditions upon, or
2.36 revoking permits pursuant to the provisions of this section or
3.1 rules promulgated pursuant to it, subject to review, suspension,
3.2 and reversal by the pollution control agency. The pollution
3.3 control agency shall, after written notification, have 15 days
3.4 to review, suspend, modify, or reverse the issuance of the
3.5 permit. After this period, the action of the county board is
3.6 final, subject to appeal as provided in chapter 14. For permit
3.7 applications filed after October 1, 2001, section 15.99 applies
3.8 to feedlot permits issued by the agency or a county pursuant to
3.9 this subdivision.

3.10 (c) For the purpose of administration of rules adopted
3.11 under this subdivision, the commissioner and the agency may
3.12 provide exceptions for cases where the owner of a feedlot has
3.13 specific written plans to close the feedlot within five years.
3.14 These exceptions include waiving requirements for major capital
3.15 improvements.

3.16 (d) For purposes of this subdivision, a discharge caused by
3.17 an extraordinary natural event such as a precipitation event of
3.18 greater magnitude than the 25-year, 24-hour event, tornado, or
3.19 flood in excess of the 100-year flood is not a "direct discharge
3.20 of pollutants."

3.21 (e) In adopting and enforcing rules under this subdivision,
3.22 the commissioner shall cooperate closely with other governmental
3.23 agencies.

3.24 (f) The pollution control agency shall work with the
3.25 Minnesota extension service, the department of agriculture, the
3.26 board of water and soil resources, producer groups, local units
3.27 of government, as well as with appropriate federal agencies such
3.28 as the Natural Resources Conservation Service and the Farm
3.29 Service Agency, to notify and educate producers of rules under
3.30 this subdivision at the time the rules are being developed and
3.31 adopted and at least every two years thereafter.

3.32 (g) The pollution control agency shall adopt rules
3.33 governing the issuance and denial of permits for livestock
3.34 feedlots, poultry lots or other animal lots pursuant to this
3.35 section. A feedlot permit is not required for livestock
3.36 feedlots with more than ten but less than 50 animal units;

Subject: FW: Lagoon ban (confidential)

Date: Mon, 04 Mar 2002 20:56:18 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: thepalmers@visi.com

HF 2965
SF 2964

Helen,

I am forwarding the complete sequence of messages on this ag bill to you only, in case it helps your understanding of it for the Capitol Letter. I am forwarding the bill language now.

Stephanie

From: "jjansen" <jjansen@willmar.com>
To: "David Kamis" <dkamis@rconnect.com>
Subject: RE: Lagoon ban
Date: Mon, Mar 4, 2002, 3:58 PM

HF 2965
> Comm. on Ag Policy
then amended + sent
back
Passed Comm. on
Env. + Natural
Resources
Policy - w/
amendment
call for a pelm. ban on
swine lagoons

Steph,

(Brian, please correct me if I have any facts wrong)

The swine lagoon ban in the House and Senate is dirty.

There is an exemption attached in both versions that take the Attorney Generals rights to sue any feedlot under public nuisance law that is polluting the states waters IF they CLAIM they are following the manure management guidelines.

The House version eliminates any new lagoons for swine, but allows existing up to one million lagoons to be used, such as converting a dairy into a swine operation.

The Senate Version allows New or existing swine lagoons if they are under 1 million gallons, for pollution abatement or conversion.

Both versions are only banning the swine lagoons for Five years.

I will e-mail you the language then call you.

Julie

-----Original Message-----

From: David Kamis [mailto:dkamis@rconnect.com]
Sent: Monday, March 04, 2002 3:18 PM
To: jjansen
Subject: Lagoon ban

So did we get an extension of the swine lagoon ban? Do you want it as a caucus resolution tomorrow night?

Steph

>From: "jjansen" <jjansen@willmar.com>
>To: "David Kamis" <dkamis@rconnect.com>, <doncoact@mtn.org>,
<bking@landstewardshipproject.org>, <marks@landstewardshipproject.org>
>Subject: RE: EAW amendment
>Date: Mon, Mar 4, 2002, 2:01 PM
>

>Hi all,

>This was Gary Kubly's lagoon ban bill and there was an amendment to strip

>the EAW petition language,

>but the whole bill was laid over. The language is dead for now.

>Julie

>

>-----Original Message-----

>From: David Kamis [mailto:dkamis@rconnect.com]
>Sent: Monday, March 04, 2002 10:57 AM
>To: doncoact@mtn.org; bking@landstewardshipproject.org;



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KEY: ~~stricken~~ = old language to be removed
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S.F No. 2664, 1st Engrossment: 82nd Legislative Session (2001-2002) Posted on Feb 27, 2002

- 1.1 A bill for an act
- 1.2 relating to the environment; modifying prohibition on
- 1.3 the release of pollutants into state waters;
- 1.4 prohibiting permits for the construction of new open
- 1.5 air swine basins; amending Minnesota Statutes 2000,
- 1.6 section 97C.065; proposing coding for new law in
- 1.7 Minnesota Statutes, chapter 116.
- 1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.9 Section 1. Minnesota Statutes 2000, section 97C.065, is
- 1.10 amended to read:
- 1.11 97C.065 [POLLUTANTS IN WATERS.]
- 1.12 Subdivision 1. [PROHIBITION; PENALTIES.] A person may not
- 1.13 dispose of any substance in state waters, or allow any substance
- 1.14 to enter state waters, in quantities that injure or are
- 1.15 detrimental to the propagation of wild animals or taint the
- 1.16 flesh of wild animals. Each day of violation is a separate
- 1.17 offense. An occurring or continuous violation is a public
- 1.18 nuisance. An action may be brought by the attorney general to
- 1.19 enjoin and abate nuisance upon request of the commissioner.
- 1.20 Subd. 2. [EXEMPTIONS.] This section does not apply to
- 1.21 chemicals used for pest control for the general welfare of the
- 1.22 public. This section does not apply to land applied manure or
- 1.23 stockpiled manure managed according to section 116.07,
- 1.24 subdivision 7.
- 1.25 Sec. 2. [116.0714] [NEW OPEN AIR SWINE BASINS.]
- 1.26 After the effective date of this section, the commissioner
- 2.1 of the pollution control agency or a county board shall not
- 2.2 approve any permits for the construction of new open air swine
- 2.3 basins, except that existing facilities may use one basin of
- 2.4 less than 1,000,000 gallons as part of a permitted waste
- 2.5 treatment program for resolving pollution problems or to allow
- 2.6 conversion of an existing basin of less than 1,000,000 gallons
- 2.7 to a different animal type, provided all standards are met.
- 2.8 This section expires June 30, 2007.
- 2.9 [EFFECTIVE DATE.] This section is effective the day
- 2.10 following final enactment.

Subject: FW: H.F No. 2965, 2nd Engrossment

Date: Mon, 04 Mar 2002 20:58:06 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: thepalmers@visi.com, dglederer@home.com, jrohricht@mediaone.net

CC: estes@fallsnet.com, doncoact@mtn.org, enviros@mnict.net, gladyssnd@juno.com

Helen and all,

Julie Jansen sent this bill today, showing the dilemma we are in. As you know, the three-year ban on swine lagoons (hog farmers willingly granted this because they use pits now anyway) is running out. We need it reinstated. Rep. Kubly's good bill (a simple ban on swine lagoons) was tabled and this Kuisle one is moving forward. It has HOOKS in it--exempts feedlot owners from nuisance complaints to the AG office for manure discharge into waters of the state! And allows hog manure lagoons up to 1 million gallons under certain conditions.

We need calls to legislators to support removing the bad parts of the bill in both House and Senate.

Stephanie Henriksen

From: "jjansen" <jjansen@willmar.com>
To: <dkamis@rconnect.com>
Subject: H.F No. 2965, 2nd Engrossment
Date: Mon, Mar 4, 2002, 4:21 PM



H.F No. 2965, 2nd Engrossment.htm

Name: H.F No. 2965, 2nd Engrossment.htm

Type: Hypertext Markup Language (text/html)

Encoding: quoted-printable

*Schedule exceptions to
rules. The prohibition
as release of
pollutants into state
waters
open air swine lagoon.*

Hi Jodie: Last September I emailed you requesting permission from LWVUS for the LWVMN to lobby on the farm bill. Permission was granted, for which I was grateful. I am back with the same sort of request, as usual in a hurry, as the 2002

farm bill has reached the joint conference committee phase.

Environmental Defense

would like us to sign a letter to be sent to all members of the conference committee.

The explanation is in what I am forwarding. The League positions which support this action are:

LWVUS: "To assure the future availability of essential resources, government policies must promote stewardship of natural resources. Policies that promote resource conservation are a fundamental part of such stewardship. Resources such as water and soil should be protected" (p. 32, Impact on Issues, 2000-2002).

Evidence that the issue is a priority for our League:

After a two-year study of agricultural policy in Minnesota, the LWVMN reached

consensus in the spring of 2001 and adopted a position which strongly supports the

Environmental Defense statement. Our position states: "In the interest of preserving

and enhancing the environment, the LWVMN strongly favors a state agricultural

policy which includes incentives for sustainable farming practices, incentives for

contributions to clean water and air, healthy soil and conservation of wildlife, and

incentives for the preservation of agricultural land." This is evidence that we have

member understanding and agreement for this action.

Answer:
NO

Subject: RE: [Fwd: Agriculture Conservation Endorsement -- DEADLINE 10/3/01]

Date: Wed, 26 Sep 2001 13:02:53 -0400

From: "Jodie Moxley" <jmoxley@LWV.Org>

To: "thepalmers@qwest.net" <thepalmers@qwest.net>

Hi Helen,

Thank you for your e-mail. I need three quick answers to the following criteria in order to process the request for the Minnesota League to take action on this national issue:

- * the proposed action and the message to be conveyed
- * the LWVUS position on which the action is based
- * evidence that the issue is a priority for your League

I saw that you would like to sign on to the letter of endorsement, are you also thinking of contacting any members of Congress. If so, please include that information under the statement of proposed action. Also, I'm assuming that you have member understanding and agreement for this action.

If you have any questions please contact me. I'm in the office today from 10 am - 5:30 pm EST.

Jodie Moxley
National Grassroots Lobbying Coordinator
League of Women Voters
1730 M Street, NW
Suite 1000
Washington, DC 20036
Phone: 202.429.1965, ext. 328
Fax: 202.429.0854

-----Original Message-----

From: Helen and Dean Palmer [mailto:thepalmers@qwest.net]

Sent: Wednesday, September 26, 2001 12:39 PM

To: jmoxley@lwv.org

Subject: [Fwd: Agriculture Conservation Endorsement -- DEADLINE 10/3/01]

Hi Jodie: I am the Action Chair of the LWV Minnesota, and have a question for you. Is there any way the LWVUS could sign on to the attached or give permission to the LWVMN to do so? We have supporting environmental and agriculture positions. What are the procedures necessary? Thanks very much. Helen Palmer 612.377.5972

*Pat Heedless
Act. comm mly
galy Sally, Pat
McConum
Heister*

Subject: RE: LWV and Agriculture Conservation Amendment

Date: Mon, 1 Oct 2001 12:22:38 -0400

From: "Jodie Moxley" <jmoxley@LWV.Org>

To: "thepalmers@qwest.net" <thepalmers@qwest.net>

Hi Helen,

Thank you for the excellent information you sent me about the amendment.

Your request has been approved to lobby on behalf of the
Boehlert-Kind-Gilchrest amendment to the House Farm bill.

Please DO NOT contact the following members of Congress:

Rep. Gutknecht -

Rep. Kennedy -

Rep. Sabo

Rep. Peterson

*Canestad
McGowan Betty - Thanks
Luther*

These members of the Minnesota congressional delegation have not yet signed the discharge petition. We only want League members to contact them in order to support the discharge petition that will bring campaign finance reform legislation to the House floor for a real debate.

If you have any questions please contact me.

Jodie Moxley
National Grassroots Lobbying Coordinator
League of Women Voters
1730 M Street, NW
Suite 1000
Washington, DC 20036
Phone: 202.429.1965, ext. 328
Fax: 202.429.0854

*Tania
office@lwvmn.org*

-----Original Message-----

From: Helen and Dean Palmer [mailto:thepalmers@qwest.net]

Sent: Thursday, September 27, 2001 11:08 PM

To: jmoxley@lwv.org

Subject: LWV and Agriculture Conservation Amendment

Hi Jodie: Thanks so much for your quick response. Here are answers to your questions which I think should allow you (and me) to proceed. Again, time is of the utmost essence. If what follows is satisfactory then please email me asap so that I can then email the Environmental Defense organization. They're facing a deadline of OCTOBER 1 (Monday) which doesn't give you much time. As you saw in my email of 26 September, the Farm Bill is to come to the floor of the House Wednesday, October 3. Hope to hear from you soon and thank you very much!
Helen Palmer, Action Chair, LWVMN 612.377.5972

1. Proposed action: to sign the LWVMN's name to the list of endorsers to the Boehlert-Kind-Gilchrest Conservation Amendment to the House Farm Bill. This amendment would boost federal funds to preserve farm, ranch, and forest lands from sprawling development; improve water quality; protect food and drinking water supplies; enhance urban forestry and greenspace; and restore habitat for wildlife. This voluntary, incentive-based approach to conservation will reward farmer stewardship,

help producers comply with regulations, and increase farm profitability.

We expect to contact MN members of Congress.

Message to be conveyed: that we support the above amendment.

2. The LWVUS position on which the action is based:

"To assure the future availability of essential resources, government policies must promote stewardship of natural resources. Policies that promote resource conservation are a fundamental part of such stewardship. Resources such as water and soil should be protected" (p. 32, Impact on Issues, 2000-2002).

"The League supports...land-use planning that reflects conservation and wise management of resources" (p. 37, Impact on Issues, 2000-2002).

3. Evidence that the issue is a priority for your League:

After a two-year study of agricultural policy in Minnesota, the LWVMN reached consensus in the spring of 2001 and adopted a position which strongly supports the policies in the proposed amendment to the Farm Bill. In our position statement we say specifically: "In the interest of preserving and enhancing the environment, the LWVMN strongly favors a state agricultural policy which includes incentives for sustainable farming practices, incentives for contributions to clean water and air, healthy soil and conservation of wildlife, and incentives for the preservation of agricultural land."

~~This is evidence that we have member understanding and agreement for this action.~~

ACTION



THE LEAGUE
OF WOMEN VOTERS
MINNESOTA

550 Rice Street • Saint Paul, Minnesota 55103
Phone 651-224-5445 • Fax 651-290-2145
lwvmn@mtn.org
<http://tcfreenet.org/ip/pol/lwvmn>

April 5, 2001

To: LWVMN 10-Minute Activists
From: Kay Erickson, LWVMN Action Chair

ACTION ALERT:

Bills expanding nuisance liability protection for agricultural operations

LWVMN Position (adopted March 2001): Ensure that corporate farms be held liable for their share of losses, environmental damage and public health hazards.

Action: Please call—

RE: SF 701

1. Chair of Senate Environment and Natural Resources Committee Jane Krentz (651-296-1113) *and*
 2. Chair of Senate Judiciary Committee John Marty (651-296-5712)
- Tell them you know SF 701 (expanding nuisance liability protection for agricultural operations) will be coming to their committees and you oppose the bill.

RE: HF 1356

Call your Representative and ask them to vote NO on companion bill HF 1356 (expanding nuisance liability protection for agricultural operations) when it comes to the House floor.

Background:

SF 701 (Kenric Scheevel, R-Preston) passed the Senate Agriculture Committee and is heading for the Senate Environment and Natural Resources Committee and the Senate Judiciary Committee. In current law, the cut-off to issue nuisance complaints against crop or livestock operations is two years from the date of operation unless it is expanded or significantly altered. Feedlots of 1000 animal units or more of swine or 2500 animal units of cattle or more always are subject to complaint. SF 701 removes the exceptions and moves the threshold to 2000 animal units of swine (so high it misses almost all hoglots).

HF 1356 (Dan Dorman, R-Albert Lea) is less drastic, but still exempts certain transfers of ownership, changes in crops produced and adoption of new technologies from nuisance complaints. Anyone impacted by pollen drift will want to call legislators against this bill. HF 1356 has passed all committees and is expected on the House floor within about two weeks, so *begin calls now!*

The time frame for issuing nuisance complaints in Minnesota once was six years. It has dropped to two years. No further weakening of this liability law is merited.



THE LEAGUE OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (651) 224-5445 FAX (651) 290-2145

GEIS

Comments by the League of Women Voters of Minnesota on the Draft Generic Environmental Impact Statement on Animal Agriculture

Presented by Nancy Witta, LWVMN
Public Hearing, Earle Brown Center, St. Paul
September 10, 2001

Thank you for allowing me to speak. My name is Nancy Witta and I am speaking on behalf of the League of Women Voters of Minnesota. The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government and influences public policy through education and advocacy.

The LWVMN believes that the state should encourage a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment.

- We support all GEIS policy recommendations which
 - a. provide *real enforcement* (hence real funding) of current laws which protect Minnesota's land, air, and water, human health, and
 - b. which *strengthen* this protection.
- We strongly support the use of *incentives* for sustainable farming practices, for contributions to clean water and air, healthy soil and conservation of wildlife and for the preservation of agricultural land. We therefore support policy recommendation #72 which encourages the development of alternative agriculture production systems in MN, and policy recommendation #73 which encourages the use of "Green Payments."
- We believe that the subtherapeutic use of antibiotics in food animals is of critical concern: LWVMN is planning a public forum on this issue.
- In a democracy it is crucial that citizens be informed. The League believes that the public has a right to know about pollution levels, dangers to health and the environment. Public records should be readily accessible at all governmental levels. We applaud the policy recommendations that call for more public education and participation in matters of public concern relating to feedlots—and this means adequate funding. We are pleased to see proposals that call for complete, consistent reporting of feedlot complaints.
- *Public* money should be devoted to agricultural research, development and technical assistance and such resources should be targeted to developing sustainable agricultural practices and addressing the needs of mid-sized farms.

Subject: FW: SEND your report!

Date: Tue, 05 Feb 2002 00:00:51 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: thepalmers@visi.com

Helen,

I just opened this--hope you see it in time for your ACTION group tomorrow. The ban on lagoons for hog operations (dairies can still use them) is due to run out and according to this Rep. Kuisle has a bill ready. He is very bad news (works with Sen. Scheevel) as you may know.

Steph

From: "jjansen" <jjansen@willmar.com>
To: "David Kamis" <dkamis@rconnect.com>
Subject: RE: SEND your report!
Date: Mon, Feb 4, 2002, 5:12 PM

Hi there,

In a nut shell we are concerned that local control will be taken away from townships. There is nothing official yet. But there is a lot of crying about the fact that townships can regulate feedlots through zoning. Big operators want this gone!

There is a movement to change MEPA, the Minnesota Environmental Protection act. One of the most vulnerable pieces is the EAW (Environmental Assessment worksheet and the EIS process (Environmental Impact Study) processes for all industries to be held accountable environmental problems that the project may have. These two processes are tools limiting pollution and environmental impacts and protect the environment. Commissioner of Agriculture MR. H. is stating that even a target center moved to Iowa because of the strict, timely process it takes to get permits in Minnesota. There is a task force in process as we speak to evaluated changes needed. Tom Dunnwald is on the committee.

Our other goal is to reinstate the ban on the hog lagoons. Dorman and Kueisly have introduced a bill but I have not looked at it yet. Tom just called me and I have not gotten that far yet to day! sorry!

I know the MPCA is going to get beat up again this year...At this point I do not know anything else. We are worried it will be a bad year just beating off bad legislation.

Julie

-----Original Message-----

From: David Kamis [mailto:dkamis@rconnect.com]
Sent: Saturday, February 02, 2002 1:40 AM
To: jjansen@willmar.com
Cc: thepalmers@visi.com
Subject: SEND your report!

Julie,

I need to get reports on farm bills to Helen Palmer for the League of Women Voters' "Capitol Letter" newsletter this session. It is sent out every few weeks--first one expected to be sent out Feb. 9. For the first one, we can describe anticipated legislation if we don't have actual bills we can identify yet.

I missed your meeting here on anticipated legislation Jan. 24 or I would be ready with this. Could you get a short summary (2-3 paragraphs or whatever) to both of us ASAP or by Monday night, Feb. 4, so Helen could give a farm report at the ACTION Committee meeting 10:30-12:30 am Tuesday, Feb. 5? We can work with it to get something in the newsletter by end of the week.

Stephanie

Subject: FW: MN - Wellstone seeks to limit aid for big hog farms

Date: Mon, 04 Feb 2002 23:21:39 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: thepalmers@visi.com

This is our struggle this week--call-ins to Senators (Wellstone and Dayton are with us so the work falls on other states) to support the Wellstone amendment on the EQIP program. You could report on this for ACTION tomorrow.

SH

From: "jjansen" <jjansen@willmar.com>

To: "Bobby King" <bking@landstewardshipproject.org>, <dkamis@rconnect.com>, "Mark Schultz" <schultz@landstewardshipproject.org>, "Mark Schultz" <marks@landstewardshipproject.org>, "Mike McMahon" <mcmahon@mtn.org>, <sobopaul@rconnect.com>, "Monica Kahout" <mokahout@willmar.com>

Subject: FW: MN - Wellstone seeks to limit aid for big hog farms

Date: Mon, Feb 4, 2002, 4:46 PM

-----Original Message-----

From: U.S.Hog [mailto:U.S.Hog@worldnet.att.net]

Sent: Monday, February 04, 2002 4:21 PM

To: U.S.Hog

Subject: MN - Wellstone seeks to limit aid for big hog farms

<http://www.startribune.com/stories/535/1402940.html>
<<http://www.startribune.com/stories/535/1402940.html>>

Wellstone seeks to limit aid for big hog farms

Todd Milbourn
Star Tribune

Published Feb 2 2002



THE LEAGUE
OF WOMEN VOTERS
MINNESOTA

550 Rice Street • Saint Paul, Minnesota 55103
Phone 651-224-5445 • Fax 651-290-2145
lwvmn@mtn.org
<http://tcfreenet.org/ip/pol/lwvmn>
April 5, 2001

To: LWVMN 10-Minute Activists
From: Kay Erickson, LWVMN Action Chair

ACTION ALERT:

Bills expanding nuisance liability protection for agricultural operations

LWVMN Position (adopted March 2001): Ensure that corporate farms be held liable for their share of losses, environmental damage and public health hazards.

Action: Please call—

RE: SF 701

1. Chair of Senate Environment and Natural Resources Committee Jane Krentz (651-296-1113) *and*
 2. Chair of Senate Judiciary Committee John Marty (651-296-5712)
- Tell them you know SF 701 (expanding nuisance liability protection for agricultural operations) will be coming to their committees and you oppose the bill.

RE: HF 1356

Call your Representative and ask them to vote NO on companion bill HF 1356 (expanding nuisance liability protection for agricultural operations) when it comes to the House floor.

Background:

SF 701 (Kenric Scheevel, R-Preston) passed the Senate Agriculture Committee and is heading for the Senate Environment and Natural Resources Committee and the Senate Judiciary Committee. In current law, the cut-off to issue nuisance complaints against crop or livestock operations is two years from the date of operation unless it is expanded or significantly altered. Feedlots of 1000 animal units or more of swine or 2500 animal units of cattle or more always are subject to complaint. SF 701 removes the exceptions and moves the threshold to 2000 animal units of swine (so high it misses almost all hoglots).

HF 1356 (Dan Dorman, R-Albert Lea) is less drastic, but still exempts certain transfers of ownership, changes in crops produced and adoption of new technologies from nuisance complaints. Anyone impacted by pollen drift will want to call legislators against this bill. HF 1356 has passed all committees and is expected on the House floor within about two weeks, so *begin calls now!*

The time frame for issuing nuisance complaints in Minnesota once was six years. It has dropped to two years. No further weakening of this liability law is merited.



THE LEAGUE
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

April 18, 2001

Sen. Leonard Price, Chair
Environment and Agriculture Budget
235 Capitol
75 Constitution Ave.
St. Paul, MN 55155

RE: SF 2068
and SF 2071

Dear Sen. Price:

The League of Women Voters Minnesota (LWVMN) believes our state should support family-owned, moderate and small-sized farms. Further, LWVMN holds that the state of Minnesota should ensure that corporate farms be held liable for their share of losses, environmental damage and public health hazards.

On that basis, we oppose SF 2068 appropriating \$400,000 for a karst region study in southeast Minnesota which would, in effect, fund a court-ordered Environmental Impact Statement for a specific large dairy in that area. Instead, we support the ongoing GEIS study funded by the Legislature which should provide this sort of information to livestock producers across the state in the near future. LWVMN has a representative on that citizen committee.

We also oppose SF 2071 which provides \$1 million for the biennium for cost-share for feedlot EISs (up to 75% of contract cost). According to the Environmental Quality Board, EISs are mandatory for projects whose nature, size or location makes it inevitable that there is the potential for significant environmental effects. The applicant, by Minnesota rule, is required to pay for it.

Given that many other large businesses such as airports, hazardous waste facilities, sewage and solid waste systems, mining operations, nuclear fuel plants, paper mills and petroleum refiners may be subject to EISs, we question the fairness of singling out one type of business for subsidy.

Sincerely,

Kay Erickson
Legislative Action Chair

Kay Erickson

From: "LWVMN State Office" <office@lwvmn.org>
To: "Kathy Kolb" <kathyjokolb@aol.com>; "Georgiana Campbell" <campa@rconnect.com>; "Gwen Myers" <salmeyers@ix.netcom.com>; "Jane McWilliams" <jmcwilliams@microassist.com>; "Janet Gendler" <jhgendler@aol.com>; "Kay Erickson" <kerickson@visi.com>; "Lorraine Fischer" <plfischer@worldnet.att.net>; "Mary Lewis Grow" <mlgrow@microassist.com>; "Mary Lou Hill" <mlhill@mninternet.net>; "Patricia Bugenstein" <bugenstein@aol.com>; "Peggy Pluimer" <pluim2020@aol.com>; "Rebecca Thoman" <RThoman123@aol.com>; "Susan Reinhart" <creinhart@aol.com>; "Susan Simmonds" <wbsglass@aol.com>; "Vikki Anderson" <fresh3air@aol.com>; "Stephanie Henriksen" <DKamis@rconnect.com>
Sent: Wednesday, April 25, 2001 4:11 PM
Subject: Aggregate Mining
To: Local League Presidents
Ten Minute Activists
LWVMN Board
Action Committee

From: Stephanie Henriksen, LWVMN Lobbyist

Re: Action alert on bill requiring county and township governments in metro counties to accommodate aggregate mining.

Date: April 25, 2001

LWVUS Position: Promote an environment beneficial to life through the protection and wise management of natural resources.

ACTION: Please call your representative to vote NO on HF371 (SF266) when it comes to the House floor.

Background: A mining company hoping to open up 600- and 900- acre sites in Waterford and Douglas townships in Dakota County, is promoting this bill. SF266 requires local governments to give consideration for "preservation and development" of aggregate (rock for road building) in their land use plans. HF371 also references information on supply and demand from the metropolitan council. Representative Dennis Ozment has added a requirement that the Legislature give approval for the water use permit.

The Department of Natural Resources now issues water use permits for operations using over two million gallons per day. Given that the Legislature has been more permissive than the state agencies in regard to natural resources issues in the past, we must be wary of giving them the final say.

This bill, however mild the wording may seem to be, is an intrusion on local control. Rather than sacrifice all the agricultural land in the townships for available rock which is soon to run out, alternative materials should be under study.

4/25/2001

Kay Erickson

From: "Sally Sawyer" <ssawyer@lwvmn.org>
To: "Kay Erickson" <kerickson@visi.com>; <thepalmers@uswest.net>
Sent: Tuesday, May 15, 2001 9:02 AM
Subject: Fw: Ag Budget Conference Committee

----- Original Message -----

From: Diane

To: William F Wilcke ; Wayne Monsen ; Tom Taylor ; Tim King ; Sister Kathleen Storms ; Sally Sawyer ; Rick Moore ; Mike McGrath ; Mary Hanks ; Mary C Doerr ; marks@landstewardshipproject.org ; Mark Zumwinkle ; Mark Ritchie ; Mark Peters ; Marie Zellar ; Loni Kemp ; Larry Nelson ; JULIE JANSEN ; Jim Riddle ; jcurry@mncenter.org ; Jan O'Donnell ; Holle Brian ; Helene Murray ; George Boody ; Fernholz, Carmen ; Edward Brown ; Dwight Ault ; Don Pylkanen ; Diane Jensen ; deebilek@wcta.net ; Debra Elias Morse ; David Nelson ; David Benson ; Dave Butcher ; Dana Jackson ; Dale Hennen ; Bob Eleff ; Audrey Arner ; Brian Rusche

Sent: Friday, May 11, 2001 5:58 PM

Subject: Ag Budget Conference Committee

Apologies to any duplicate postings. Thanks to Tom Taylor for the fast alert.

The House has appointed conferees to the natural resources and agriculture appropriations conference committee. See Below

Please contact them up and ask them to support the full funding for Sustainable Agriculture and MISA- the Senate's version of the bill, SF 2351. The amount is small, the impact is very big, and many people care about this issue and these programs. Be brief, be polite, say a big thanks to those who offer their support, say thank you also to those who listened but disagreed or deferred an answer. We need six people of any party, House or Senate to say yes.

The Senate's version also offers insulation to any line item veto of the funds by Governor Venture so no specific item, like MISA or the Organic Certification Cost Share Program could be crossed out.

If you call or email - please let me know what you hear in response. Call now. They are deciding now.

S. F. No. 2351 / H. F. No. 766

STATE GOVERNMENT-FINANCE - Omnibus environment, natural resources and agriculture appropriations House:

Tim Finseth Angus, MN 651-296-9918 rep.tim.finseth@house.leg.state.mn.us

Dennis Ozment Rosemount, MN 651-296-4306 rep.dennis.ozment@house.leg.state.mn.us

Elaine Harder Jackson, MN 651-296-5373 rep.elaine.harder@house.leg.state.mn.us

Mark Holsten Stillwater, MN 651-296-3018 rep.mark.holsten@house.leg.state.mn.us

Tom Osthoff St. Paul, MN 651 296-4224 rep.tom.osthoff@house.leg.state.mn.us

Senate:

Leonard R. Price Woodbury (651) 297-8060 sen.len.price@senateleg.state.mn.us

Jane Krentz - May Township, MN (651) 296-7061 sen.jane.krentz@senate.leg.state.mn.us

Linda Higgins - Minneapolis, MN (651) 296-9246 sen.linda.higgins@senate.leg.state.mn.us

Dennis Frederickson - New Ulm, MN (651) 296-8138 sen.dennisfrederickson@senate.leg.state.mn.us

Steve Dille - Dassel, MN (651) 296-4131 sen.steve.dille@senate.leg.state.mn.us

Make those calls and spread the word, especially if you know people that live in the committee members district!

5/15/2001

Diane Jensen
Executive Director
The Minnesota Project
1885 University Avenue West, Suite 315
St. Paul, MN 55104
651-645-6159
FX 651-645-1262
djensen@mnproject.org
www.mnproject.org

Pat Gancy
Jane McWilliams from Hennepin.

UNIVERSITY OF MINNESOTA

43

Southern Research and Outreach Center

Southern Experiment Station
College of Agricultural, Food,
and Environmental Sciences

35838-120th Street
Waseca, MN 56093-4521
507-835-3620
Fax: 507-835-3622

September 11, 2001

George Johnson
Minnesota Environmental Quality Board
658 Cedar Street, Room 300
St. Paul, MN 55155

Name calling unfortunate.
ST

Dear Mr. Johnson:

→ NO
Just a quick note to share my observations regarding the GEIS public meeting at Mankato last week. Overall, I thought it was a very depressing meeting with an extremely negative tone being expressed. Many of the livestock producers I saw in the room never said a word. The floor seemed to be occupied primarily by whiners, who were not interested in improving the GEIS process or the final document. They were there to complain about livestock agriculture regardless of the GEIS process. They simply do not want livestock agriculture, as we see it today in their communities and facts or findings will not change their opinions. This closed-mind attitude leads me to question the impact of the GEIS process and its final document.

On a positive note, a few comments and concerns regarding the draft GEIS document were very constructive. First, the economic issues brought up by Judy Hanson, Nicollet County Commissioner, and Dave Pfarr, LeSueur County Extension Educator should be addressed in the GEIS document. Second, the point made by Greg Strobel of "livestock numbers by species from the 50's through present should be presented so that the public knows where changes have and have not occurred" is important. I feel that a historical perspective is always important as one begins to approach and analyze a situation. For instance, when the Metropolitan Airports Commission wants to address airport noise and insulating houses, they assess and document the changes to educate people and develop support for their activities. The same should be done in the Animal Agriculture GEIS. It would greatly strengthen the document and provide educational information to the public. Third, disposal of animal carcasses should be discussed at some length. This is a growing concern among rural residents.

Thanks for reading my comments. I hope they are constructive to the GEIS process.

Sincerely yours,



Gyles W. Randall
Soil Scientist and Professor

GWR:awb



The Journal

New Ulm, Minnesota

Thursday, January 10, 2002

Wellstone hails Farm Bill amendment

Senator speaks at
Land Stewardship
Project meeting

By FRITZ BUSCH
Journal Staff Writer

NEW ULM — Sen. Paul Wellstone ad-





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LSP action items in federal Farm Bill, January 2002

1. PROHIBIT LARGE CORPORATE MEATPACKERS FROM OWNING AND FEEDING LIVESTOCK. In a huge victory for family farmers and the land, the U.S. Senate voted 51-46 to ban packer ownership of livestock on December 13. The ban does not affect marketing contracts – it simply prohibits direct ownership of livestock by corporate meatpackers. Packers use ownership of hogs, cattle, and sheep to force independent producers (like many LSP farmer members) to take lower prices for the livestock they market. In recent years, companies like Smithfield, Cargill, Hormel, and Tyson have moved into factory farm livestock production in a big way, in a blatant attempt to eliminate family farms from the livestock industry. Ultimately, after years of manipulated low prices and restricted market access, many family farmers stop raising livestock, despite being the most efficient livestock producers in terms of cost of production – and the most environmentally sound producers. The goal of the major agribusiness corporations and commodity groups is to strip the ban on packer ownership of livestock out of the Senate Bill, and keep moving towards a fully integrated food industry which corporations control from factory farm production to irradiated food on the supermarket shelf. For the good of the land and our communities, we can't let that happen.

Top Corporate Meatpackers Expand Hog Market Control

Packer ownership of hogs, according to *Successful Farming's* "Pork Powerhouses 2001" list:

◆ Smithfield Foods (packer)	710,000 sows
◆ Premium Standard Farms (packer)	211,000 sows
◆ Cargill (packer)	109,675 sows
◆ Tyson Foods (packer)	107,000 sows
◆ Bell Farms/Hormel Foods (packer)	61,500 sows
◆ Farmland Industries (packer)	37,400 sows

2. SUPPORT FULL FUNDING FOR THE CONSERVATION SECURITY PROGRAM. The Conservation Security Program (CSP) will reward farmers who care for the land by paying for the public benefits (such as enhanced water quality, improved soil conservation, and increased wildlife habitat) produced on working farms through good stewardship. LSP's Federal Farm Policy Program has played a key role for 3 years in designing the Conservation Security Program and working to pass it. The CSP was passed the Senate Agriculture Committee and is part of the bill being brought to the Senate Floor. However, the House has neglected to include conservation on working lands in their Farm Bill, favoring more land idling and a terrible EQIP program (see below). Right now, 85% of federal conservation funds go to take land out of production. Congress needs to pass a fully-funded Conservation Security Program to help us move to a stewardship-oriented agriculture on working farmlands.

3. NO SUBSIDIES FOR CORPORATE FACTORY FARMS. Both the House and Senate bills currently include a billion-dollar per year Environmental Quality Incentives Program (EQIP) which will funnel hundreds of millions of dollars to the mega-hog farms owned or controlled by Big Agribusiness. EQIP, as it has operated over its first five years, has been a good program, but now the U.S. Senate and House are considering a huge increase to EQIP funding (6 times as much) and removing the current prohibition against using EQIP funds for manure storage structures in confined animal feeding operations of 1000 animal units or more, so that factory farms can get taxpayer money to expand in the name of "conservation." It's a taxpayer-funded boondoggle for corporate welfare. It will spur further industrial hog production and drive livestock prices down, at the expense of the independent producer and the environment. The Senate and the House must prohibit EQIP funds from being used by factory farms to expand and create more problems.

4. SET SENSIBLE LIMITS ON FEDERAL FARM PROGRAM PAYMENTS. We all know how out-of-whack the farm program payments are. Large producers get hundreds of thousands of dollars per year to use for further land acquisition or rental, while most farmers get little. Congress must target farm programs for the greatest good, and stop breaking the bank to pay out larger and larger amounts to industrial-scale operations.



MARCH 23, 2000
FOR IMMEDIATE RELEASE

CONTACT: PETE TAKASH
651.639.1223

Minnesotans make their voices heard at Rally for Rural America

ST. PAUL – Minnesotans concerned about the future of rural communities and the farms that help support them turned out in force for the Rally for Rural America, the largest farm rally in the nation's capitol in 20 years.

Of the 3,200 people who spent Sunday, March 19, through Tuesday, March 21, on Capitol Hill asking that rural America receive economic and social justice in an otherwise prosperous national economy, 500 were Minnesotans.

"We took the time and effort to put down our coffee cups and take the dialog from Main Street to the halls of Congress," said Minnesota Farmers Union President David Frederickson. "We can talk all we want among ourselves, but it is Congress and the secretary of agriculture and the President who need to hear the message."

Every U.S. senator and representative was invited to the March 21 rally and the events that preceded it. Many participants also tried to schedule office visits with individual lawmakers. The decision by some elected officials not to attend the rally or meet with farmers on their own sent a message.

"Thousands of farmers and concerned citizens spent their own time and money to travel to the place where our federal lawmakers do their work," Frederickson said. "For them to not acknowledge our presence with a face-to-face visit suggests that maybe the lawmakers who say they represent us aren't as concerned as what they'd like us to believe."

Even so, farmers and rural citizens delivered their message that rural economic rejuvenation and renewal must be a priority. An interfaith prayer service on March 19 drove home the harm low farm prices and struggling rural economies have created. A rally kickoff event allowed participants to give voice to why they traveled to Washington, D.C. A farmers' share luncheon illustrated how a farmer receives only 39 cents of an \$8 meal. A town hall meeting gave participants the opportunity to ask members of Congress questions about farm and rural policy.

Organizations representing the spectrum of community supported and participated in the rally and its related events. Among the groups involved in the rally were the Minnesota AFL-CIO, Minnesota Catholic Conference, Rural Life Office of the Saint Paul and Minneapolis Diocese, Lutheran Coalition for Public Policy, Minnesota Fair Trade Coalition, Institute for Agriculture and Trade Policy, Land Stewardship Project, Clean Water Action Council, Izaak Walton League and COACT.

"This isn't the end. This is the beginning," Frederickson said. "Our communities need to keep speaking up and making their voices heard above the din of a society and economy that often forgets that people are the most important part of the equation."

- 30 -

Sample cases

Farm Wrap Participants

E. Ottertail - 4-16-44

This case is still ongoing and I am utterly amazed at the steadfast willingness and ability of these folks to try and hold things together. Since my last report, I have met with the Farm Credit ~~Canadian special credit manager~~ ~~His~~ ~~decision~~ ~~has~~ ~~been~~ ~~to~~ ~~not~~ ~~for~~ ~~late~~ ~~but~~ ~~rather~~ ~~continue~~ ~~with~~ the existing payments which are currently assigned to these people's dairy milk check. Since prices fell in the second quarter of 99, there was not enough income to make the loan payments and provide for family living on farm operations. Farm Credit ~~has~~ ~~been~~ ~~very~~ ~~good~~ ~~and~~ ~~will~~ ~~not~~ ~~allow~~ ~~the~~ ~~farm~~ operating on the family had to borrow money from a bank ~~company~~ ~~they~~ ~~are~~ ~~leaning~~ ~~on~~ ~~now~~ ~~from~~. They have not been able to feed the cows as they would like to because of lack of funds so milk production has been lower than it should be. In addition, because there was no money for family living, the parents had to cash out what little retirement savings they had so the two families had something to live on. The son and wife had to let their trailerhouse go since they could not make the payments and moved into a home owned by a relative for the winter.

We are in the process now of liquidating some of the machinery that is not needed to apply toward existing debt. The family will also be selling off 120 acres of land which is not fully tillable to again reduce the debt. Recently, the father has been having serious back troubles and has been unable to help the son with the work. This is flat out killing the son and he is going to have to sell out part of the herd to a point where he is able to manage it by himself. This too will be applied toward the debt and we hope that these three items combined can pay down enough debt that we can do some restructuring on the remainder and get loan payments down to where there is something left to live on after payments are made. We are continuing these negotiations with FCS and FHA now.

Greenbush - 4.5-18-26

This is one of the few cases we have been able to successfully work out. The FHA guarantee has gone through and using disaster payments for 99, we have got Farm Credit Services in a position where they will restructure the existing debt. Things appear to have worked out fairly well in this case, provided these folks don't have any more serious complications down the road. They can't handle anymore disasters for a while.

Euclid - 23-18-22

Here is another sad case we just don't seem to be able to do anything about. We are waiting now for FHA for foreclose on the real estate. Farm Credit is in a first position on the land and so they will have to slug it out with FHA to see who's going to get what. In the mean time, I had tried to strike a deal with FHA to take a mortgage on the 16 acre building site which is all these folks have left. By doing this, I was hoping to encumber the land so the IRS couldn't force these folks to take out a loan against their home. Since the family did not complete FHA forms 1951-S in a timely manner, they no longer qualify for any kind of servicing action with FHA except for a straight cash settlement. Since the family filed bankruptcy two years ago, no bank including FHA

Sen. Tom Neuville
123 State Office Bldg.
100 Constitution Ave.
St. Paul, MN 55155

Urgent

3 pages FAX

Dear Tom: 3-9-2000

Re: "NO" on SF192 "LLC" bill

I was encouraged to hear you say at a recent Northfield library meeting that your conscience plays a large part in your decision-making at the Capitol. I hope you can see, despite what Sen. Charlie Berg and others may say to the contrary, that the LLC business structure provides yet another advantage for large business interests. Things are tough enough for farmers in your district. Please vote "NO".

Sen. Berg has been pressing for LLCs since he failed to get it in the bill which did pass in 1994 (SF1940), creating a second option under "authorized farm corporation". Negative effects of this business structure allowing unlimited number of shareholders except for dairy (Val Adco had 126 at last count) have been felt all across the state. I spoke to you about this at the LWV event at Ciernias' house I believe.

↙ I am sending you copy of Assistant Attorney General Strandberg's statement on LLCs, issued after the Governor's Farm Law Task Force meeting in Northfield in December of 1994. The LLC business structure will do as its name states, limit liability by individual investors. An attorney did testify on this bill in the Senate Ag Committee, I believe, but he did not have expertise in farm law. I am hoping Lynn Hays of Farmers Legal Action Group will be present tomorrow to answer your questions in depth.

Things are bad enough for farmers out here as it is. I ask that you vote "NO" tomorrow on SF192.

Sincerely,

Stephanie Henriksen

Stephanie Henriksen
1866 130th St. E.
Dundas, MN 55019 507-645-7086

Farmers' Share of Food Dollar

Did you know that most of the money you spend in the grocery store doesn't go to the farmer? Here in Minnesota, 34,000 farms produce much of the food you eat.

Some of the crops grown here, corn, wheat and soybeans, for example, require processing before they become a consumer food product. But dairy farmers deliver the milk that fills the bottles and makes the ice cream. Livestock farmers raise the cattle and hogs that become the hamburger on the backyard grill, the Sunday morning breakfast sausage and the Easter ham.

The chart below compares the increase in farm and consumer prices during the past 23 years. In real dollars, the money the farmer receives for marketing commodities has dropped significantly while consumer prices have increased significantly. There's a lot of money lost in the middle – and whoever stands between the farmer and consumer reaps the most benefits from the higher prices you pay at the grocery store.

	<u>Farm Price</u>		<u>Consumer Price</u>		<u>Farmers' Share</u>	
	<u>1956</u>	<u>1999</u>	<u>1956</u>	<u>1999</u>	<u>1956</u>	<u>1999</u>
15.1 Oz. Corn Flakes	\$0.02	\$0.05	\$0.28	\$2.92	8%	1.7%
1 Gal. Milk	\$0.36	\$1.28	\$0.90	\$2.97	40%	47%
1 Lb. White Bread	\$0.03	\$0.04	\$0.18	\$1.69	18%	2.5%
1 Lb. Steak	\$0.01	\$0.14	\$0.88	\$6.99	2%	2%
1 Lb. Pork Chop	\$0.07	\$0.14	\$0.78	\$3.89	9%	4%
1 Dozen Eggs	\$0.39	\$0.35	\$0.60	\$0.97	65%	36%

(Source: USDA, Economic Research Service, Bureau of Labor Statistics)

3-5-2000

To the Editor: Twice as many hogs?

In February, the Minnesota Department of Health released a report that toxic gas from Val Aho, one of the largest hoglots in the state, poses a threat to the public health. One would think this might lead to stronger feedlot regulation and some relief for embattled rural residents forced to live near these operations.

On the contrary, there is a bill moving ^{Min. state} at the Capitol at this very moment designed to roll back regulation as far as possible. Sen. Kenric Scheevel (R-Preston) was interviewed on farm radio last week, claiming that the bill amending feedlot permit provisions (SF3443) would protect small farmers, in particular, from being driven out of business by over-regulation.

Quite the contrary. Anyone who has been following the feedlot issue in recent years will see, on close reading of the bill, that most of the changes will be for the advantage of large, not small, operations. Take the change in "animal unit" equivalencies, for example. This bill would change finishing hogs from .4 au to .25 au. That would allow almost twice as many under a given permit category. It would, in fact, keep most large hoglots well under the threshold for the federal permit (NPDES) required for operations of 1000 animal units or more.

Sen. Steve Dille (R-Dassel), a veterinarian, has been pushing such animal unit changes for some time now and it looks like his efforts may pay off. The result? Much confusion for counties and townships with feedlot ordinances based on the old animal unit numbers and more misery for rural residents forced to live near even larger hoglots. Anyone concerned might call Gov. Ventura who will have the final say over this bill, should it pass as Sen. Scheevel predicts.

S.A. Henriksen

S.A. Henriksen
1866 130th St. E.
Dundas, MN 55019 507-645-7086



Nancy Witta for Action Committee - 6 pp
Jessica for State Ag Committee meeting also.

Some for each packet?
Thanks SH

To the Editor: "Dairy Alert" 2 13 2000



Minnesota Milk Producers Association has their annual convention at St. Cloud this week, Feb. 17-18. I do hope smaller dairymen (35 to 150 cows) will take time off to get to the convention to vote on the election of board members and policy changes. It is critical that the large interests not take over the convention.

We do not have a dairy on our farm, but I have admired the group from afar, having met their lobbyist at the Capitol in St. Paul and watched how courageously he stood up against changes which would disadvantage the small and average-size dairies. Unfortunately, this lobbyist has stepped down and I can only hope someone equally committed will be acting in his place.

Dairies are still under the five-shareholder limit, which means even the large ones are father/son arrangements and I very much support that. But there is pressure from Sen. Charlie Berg (I-Chokio), Sen. Steve Dille (R-Dassel) and others to include dairy in the new "cooperative" arrangements of unlimited shareholders extended to hog producers in 1994. Sen. Berg just got his "limited liability" bill passed in the Senate Ag Committee on Feb. 8.

The outcome at the MMPA Convention, Feb. 17-18, will be very important. If things go wrong, it could signal the end of family farm dairies in Minnesota. Spread the word.

S.A. Henriksen
1866 130th St. E.
Dundas, MN 55019 507-645-7086

SA Henriksen

Printed in St Cloud Times causing some backlash
against the former lobbyist, unfortunately. I
simply felt it was critical to alert dairymen.

Subject: say no to subsidies for lagoons - contact your senator

Date: Mon, 22 Oct 2001 16:14:29 -0400

From: "Flynn, Melanie Shepherdson" <mflynn@nrdc.org>

To: "Feedlot Listserv (E-mail)" <cwn-feedlots@igc.topica.com>

*Call
Tues!*

TELL YOUR SENATOR(S) THAT THE FARM BILL SHOULD NOT SUBSIDIZE ANIMAL FACTORIES' LAGOONS

By now you know that the House passed H.R. 2646, a Farm Bill that opens-up new subsidies to concentrated animal feeding operations (CAFOs) and even gives large CAFOs priority for receiving cost-share funds over smaller family farm operations. The Senate is still working on its version of the Farm Bill and is getting a lot of pressure to eliminate the existing prohibition against providing cost-share funds to CAFOs to construct waste management facilities. Members on the Senate Agriculture Committee need to hear that the environmental community opposes giving more subsidies to animal factories.

Due 10/24

WHAT TO DO:

Call the Agriculture staffer for your senator(s) and tell him/her that large animal factories should not receive funds from the Environmental Quality Incentives Program (EQIP) to construct animal waste management facilities.

If you wish to offer specific points in support of your position, tell the staffer taking your call that:

** The evidence of environmental harm posed by factory farm waste lagoons is overwhelming: lagoons break, leak or overflow, polluting our surface waters, ground water, and drinking water supplies.

** Large animal factories are often owned or controlled by corporations that can afford to manage the massive quantities of waste they generate. Taxpayers should not subsidize these companies so that they can comply with environmental laws.

** If more subsidies are made available to CAFOs, these operations could eat-up funds available under EQIP, reducing the funding available to real family farmers who need these funds the most. In addition, providing cost-share funds to large facilities to construct waste management facilities would contribute to the increasing trend of concentration in animal production in the hands of fewer and larger operations.

** I ask for your support in retaining the existing policy prohibiting the use of EQIP funding to subsidize large CAFOs to build animal waste structures.

TARGETS AND CONTACT INFORMATION:

You can reach your Senator(s) office by calling the Capitol Switchboard at 202-224-3121.

Calls are needed to Senate Agriculture Committee Members, especially Harkin, Lugar, Wellstone, Dayton, Fitzgerald, Miller, Leahy, Conrad, Daschle, Lincoln, Hutchinson, Stabenow, Nelson, McConnell, and Cochran.

For more information, contact Melanie Shepherdson Flynn, NRDC, at (202) 289-2393.

Melanie Shepherdson Flynn
Project Attorney, Clean Water Project
NRDC
1200 New York Avenue, NW
Suite 400
Washington, DC 20005
Phone: 202.289.2393
Fax: 202.289.1060

Subject: Rural UPdates! September 25, 2001

Date: Tue, 25 Sep 2001 17:05:15 -0700

From: "SCOTTY JOHNSON" <defenders.returns@reply.net>

Reply-To: defenders.rural@reply.net

To: "Defenders Rural UPdates!" <defenders.rural@reply.net>

Defenders Rural Updates!

September 25, 2001

Cultivating a vision where rural and urban folks join together to ensure safe food, abundant family farms, healthy critters, clean water and a wild Earth. Whether you live in the country or the city, help us spread the word; email this to a friend and suggest they subscribe! To subscribe go to <http://www.familyfarmer.org/sections/ruralsubscribe.html>

~~~~~

1. Texas Tornado Farm Bill A'Coming
2. USDA Releases Farm Bill Principles
3. Senate Democrats Release Farm Bill Principles
4. Bt Corn Back In The News

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1. TEXAS TORNADO FARM BILL A'COMING

Over the last two weeks while the country mourned the terror of recent events, the Congressional legislative agenda, including the farm bill re-authorization, was placed on hold. It now appears things will begin moving very quickly. Reports are now flying around Washington that the House version of the farm bill (H.R. 2646) will likely move for a floor vote next Wednesday, Oct. 3. This proposal by the Texas leadership in the House (Stenholm-Combest) is opposed by virtually all farm groups and has been likened to a "Texas Tornado" because it "moves too fast and causes

too much damage, does not address the trends of concentration and vertical integration, and weakens important conservation provisions. Two weeks ago, members of the National Campaign for Sustainable Agriculture, the National Family Farm Coalition and the National Farmers Union had a press conference in Washington DC expressing solidarity against the bill which continues large subsidies and fuels overproduction. Bill Christison of NFFC said, "If you find yourself in a hole, the first thing to do is stop digging." To learn more about the House farm bill go to:

<http://www.familyfarmer.org/sections/fb-house.html>

2. USDA RELEASES FARM PRINCIPLES

Last week, the Department of Agriculture released "Taking Stock for the New Century," a long-awaited 120-page statement of principles on farm policy and the next farm bill (available at www.usda.gov). The report notes a marked change of direction for the Bush Administration farm policy, including a recognition that the current system of farm payments directs disproportionate assistance to a few large farms, and a call for expanded conservation programs. Several conservation groups, including Defenders of Wildlife, have praised the conservation and small farm focus of the report while keeping an eye on the rumor that the Administration is using farm policy as a chit to broker the passage of "Fast Track" trade authority. Surprisingly, the situation signals sizable cracks in longstanding control of farm policy by giant commodities concerns. According to the Environment and Energy Daily, a lobbyist for the Farm Bureau, for instance, expressed "concern the that USDA is getting more involved in the social interests of farmers rather than crop production. 'We would disagree with that kind of philosophy,' she said."

For more information on the Farm Bureau's promotion of corporate agribusiness at the expense of the family farmer, please visit:

<http://www.familyfarmer.org/sections/meet.html>

3. SENATE DEMOCRATS RELEASE FARM BILL PRINCIPLES

Responding to the release of the USDA Farm Bill principles, the Senate Democratic Policy Committee released their own set of Farm Bill Principles last week. Citing the failure of Freedom to Farm and the need for a series of ad hoc farm disaster bills, the Senate Democrats proclaimed that "it is not enough to simply reauthorize or make small modifications to the current Farm Bill." The central features of their proposal for a new farm bill include: 1) Counter-cyclical income safety net; 2) Stronger conservation provisions; 3) Fair and competitive international and domestic markets; and 4) Rural community economic revitalization. Other issues of importance include food safety, local value adding enterprises, credit access, research, hunger prevention and humanitarian food assistance.

The DPC's statement of principles is available at:

<http://democrats.senate.gov/~dpc/pubs/SEQ-264.html>

4. BT CORN: BACK IN THE NEWS

Last year news rocked the consumer world when environmentalists released evidence that a bio-engineered product (BT-Corn) not approved for human consumption was being sold in taco shells. Immediately a whirlwind of complaints went out and several large food retailers like Taco Bell stopped buying the product. Now, according to the Center for Food Safety (CFS), the manufacturer of

"BT-Corn", Aventis, and the federal government may have known about this situation nine months before the news broke. According to federal documents Aventis knew from a survey that farmers were not able to keep Bt-corn separate from non bio-engineered corn. Speaking under anonymity in the New York Times (September 4) a company official for Aventis said simply, "We were not pleased with how we responded." To learn more see:

[http://www.nytimes.com/2001/09/04/business/04STAR.html?ex=10](http://www.nytimes.com/2001/09/04/business/04STAR.html?ex=1000625116&ei=1&en)

00625116&ei=1&en

To subscribe send an email message to
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the word SUBSCRIBE in the subject line. To contact the editor
send an email to sjohnson@albq.defenders.org

Rural Updates!
Scotty Johnson and Aimee Delach
National Rural Community Outreach Campaign
sjohnson@defenders.org
Defenders of Wildlife
Visit our website at www.familyfarmer.org
520 623-9653 x3

Chairman
Senate Committee on Agriculture,
Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Ranking Member
Senate Committee on Agricult
Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Dear Chairman Harkin and Ranking Member Lugar:

With passage of a House Farm Bill (H.R. 2646) last week, we are increasingly concerned about the direction some in Congress would take long-term agriculture policy in our nation. In particular, we believe that H.R. 2646 fell far short of the laudable agriculture policy goals that both of you, and the Bush Administration, have outlined for a national, regionally equitable Farm Bill that meets the needs and challenges facing all farmers today and in the future. This Farm Bill is our best opportunity to write a Farm Bill for all of our farmers, not just those who have benefited from farm policies of the past.

Clearly, the Bush Administration believes H.R. 2646 missed this opportunity and their opposition outlined in the October 4, 2001, Statement of Administration Policy challenges us to do better. This SAP followed the Administration's recently-released report, "Food and Agriculture Policy -- Taking Stock for the New Century," noting that the bulk of current farm spending -- spending that would be continued and increased in H.R. 2646 -- leaves almost 60 percent of our nation's farmers and ranchers without support while sending almost half of federal agricultural payments to a mere 8 percent of our nation's producers. The Administration also made clear that current farm policy is hurting, not helping, our small, rural farms and does little to promote, or serve, the regional diversity of agricultural producers in our country. We must not lock in such flaws for the next five years, much less the next decade, in this Farm Bill.

Both of you have also made strong, public statements against the House Farm Bill. In an August 12, 2001, New York Times article, you argued that the House Farm Bill was too narrowly focused on already-failed methods of agricultural support, which include increased subsidies to large farmers growing cotton, corn and wheat. Instead, you argued, Farm Bill funds should be spread more equitably to promote trade, conservation efforts, rural development, and environmental protection. You have both pledged to promote a new kind of Farm Bill that is conscious of world trade issues as well as the increasing importance, both economic and environmental, of voluntary, incentive-based conservation practices on private lands.

Given your public commitments to these 21st century agriculture principles, we believe your Senate Farm Bill can and will show true leadership in promoting a more equitable, more effective, and far stronger national agricultural policy for all of our nation's producers. To this end, we believe the Senate Farm Bill should include the following:

- Specialty Crop Provisions in the Commodity Title: A \$750 million/year cost-of-production insurance program for non-program crops, or specialty crops. This program is outlined and unanimously agreed upon by the National Association of State Departments of Agriculture. The current House Farm Bill spends almost \$115 billion on traditional commodities and virtually nothing on the specialty crop sector. We believe it is time for Congress to recognize the diversity of our nation's crops and promote risk-management tool for all producers.

- A \$5.4 billion Conservation Title; A \$5.4 billion conservation title will ensure that we return to the historical balance between commodity and conservation spending in previous farm bills. We appreciate your

strong comments against the many harmful policy changes adopted in H.R. 2646 and urge you to instead adopt program improvements that ensures a regionally equitable distribution of the funding to allow farmers in all regions of the country to participate. For example, every state should be assured at least \$10 million annually in conservation spending

- CSA Payments in the Commodity Title: A national Conservation Security Act that ensures regional equity of payments through state allocations based on the agriculture market value. Payments would be stipulated to allocate a minimum of \$10,000,000 and a maximum of \$150,000,000 to any single state.

We look forward to working with you as you continue to finalize the Senate Farm Bill. We trust that your longstanding commitment to promoting regionally equitable agricultural policies and strong conservation programs will be evident in the bill you send to the Senate floor. We are also looking forward to seeing your good work on all titles of the Farm Bill, including the rural development, forestry, and nutrition titles so important to our region.

Thank you again for your leadership and your needed attention to these regional and national concerns.

Sincerely,

Clean Water Network listserve are for CWN members only and messages are intended so

==^=====

EASY UNSUBSCRIBE click here: <http://igc.topica.com/u/?bUrGgu.bU8lRP>
Or send an email To: cwn-farmbill-unsubscribe@igc.topica.com
This email was sent to: thepalmers@uswest.net

T O P I C A -- Register now to manage your mail!
<http://www.topica.com/partner/tag02/register>

==^=====

Subject: Farm Bill fight moves to Senate

Date: Wed, 17 Oct 2001 14:17:46 +0000

From: sfriedman@environmentaldefense.org

To: cwn-farmbill@igc.topica.com

Contact Senators to Today! Urge them to sign Senator Leahy's Dear Colleague calling for increased funding for agriculture conservation!

On October 5, the House of Representatives approved a very anti-environmental, regionally inequitable Farm Bill that favors the very largest farms. With this bad bill in the House, the need is even greater to ensure that the Senate version of the Farm Bill places a priority on regional equity and conservation by including \$5.4 billion a year for conservation programs that reward farmers, ranchers, and forest landowners who preserve open space, improve water quality, protect public health, and create wildlife habitat.

Please call or fax your Senators TODAY urging them to 1) sign Senator Leahy's Dear Colleague Letter on Agriculture Conservation and 2) communicate to Senators Harkin and Lugar and others the vital need for including \$5.4 billion a year for conservation programs and regional equity language in the Senate Farm Bill. The deadline for Senators to sign on to the letter is Thursday, October 18, but may be extended through early next wee.

See below for a sample letter and talking points for calls.

To get phone numbers for Senators, visit <http://www.congressmerge.com> or contact sfriedman@environmentaldefense.org

For more information on the House Farm Bill, visit <http://www.environmentaldefense.org/programs/Ecosystems/AgriReform/HR2646.html>

Talking Points for Calls to Senators

- With a House Farm Bill (HR 2646) that is anti-environmental, regionally inequitable, and slanted in favor of the nation's largest farms, it is imperative that the Senate Farm Bill be conservation oriented, fair to all states, and meets the needs and challenges facing all farmers today and in the future.
- Under the House Farm Bill, federal farm spending would leave almost 60 percent of our nation's farmers and ranchers without support, while sending almost half of federal agricultural payments to a mere 8 percent of our nation's producers.
- Instead, the Senate Farm Bill must ensure that funds are spread more equitably to promote trade, conservation efforts, rural development, and environmental protection.
- Please be a leader for our state and its environment, farmers, and communities by signing onto Senator Leahy's Dear Colleague letter.
- Senator Leahy's letter calls for a Senate Farm Bill to include \$750 million a year for specialty crops in the commodity title, a \$5.4 billion conservation title, and Conservation Security Act payments in the commodity title that will ensure regional equity of payments through state allocations based on the agriculture market value.

For more talking points on agriculture conservation, visit <http://www.environmentaldefense.org/programs/Ecosystem/AgriReform/BKGDsupport.html>

For more information about Environmental Defense's efforts to reform agricultural practices, visit: <http://www.environmentaldefense.org/programs/Ecosystems/AgriReform/>

Questions? Contact Suzy Friedman, Agriculture Policy Analyst and Organizer, at sfriedman@environmentaldefense.org

Suzy Friedman
Agriculture Policy Analyst
Environmental Defense
1875 Connecticut Ave., NW, #1016
Washington, DC 20009
202-387-3500 x176 (v), 202-234-6049 (f)
sfriedman@environmentaldefense.org
Check out our Agriculture Reform Campaign Website at
www.environmentaldefense.org/programs/Ecosystems/AgriReform.html

Sample Letter

Dear Senator,

I urge you to help protect our state's natural resources, public health, agricultural economy, and rural and urban communities and to ensure that the Farm Bill supports all farmers, ranchers, and forest landowners across the nation by signing Senator Leahy's Dear Colleague calling for increased funding for agriculture conservation in the Senate Farm Bill.

With passage of a House Farm Bill (H.R. 2646) last week, I am very concerned about the direction some in Congress would take long-term agriculture policy in our nation. The House Farm Bill falls far short of the laudable agriculture policy goals that Senators Harkin and Lugar, the Bush Administration, and the 200 Representatives who supported the Boehlert-Kind Conservation Amendment have called for -- a conservation-oriented and regionally equitable Farm Bill that meets the needs and challenges facing all farmers today and in the future. This Farm Bill is our best opportunity to reform federal agriculture policies to benefit both the environment and all of our farmers, not just those large commodity crop producers who have benefited from farm policies of the past.

Boosting annual funding for voluntary incentive-based conservation programs not only helps protect the environment, but also contributes to farm and ranch income, helps ease regulatory burdens, and reduces water treatment costs. These reforms will ensure that all farmers -- including dairy farmers, livestock operators, and fruit and vegetable producers -- are eligible for federal assistance.

Unless we reward farmers when they meet our environmental challenges, one-third of our rivers and lakes will remain polluted, hundreds of species will creep closer to extinction, and millions of acres of open space will be lost forever.

I urge you to sign Senator Leahy's Dear Colleague letter calling for increased funding for agriculture conservation programs in the Senate Farm Bill to help the environment, farmers, and public health.

Sincerely,

Senator Leahy's Dear Colleague Letter:

October XX, 2001

The Honorable Tom Harkin

The Honorable Richard Lugar

Subject: fax to Congressman Oberstar

Date: Wed, 03 Oct 2001 16:28:29 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: office@lwvmn.org

Hi Tania: Thanks so much for helping me out. The fax no. you need is 202.225.0699. Here is the content for the fax:

October 3, 2001

The Honorable James L. Oberstar
Washington, D. C.

Dear Congressman Oberstar:

The League of Women Voters of Minnesota (LWVMN) would like to urge you to support the Boehlert-Kind-Gilchrest-Dingell amendment to the Farm Bill.

This conservation amendment would delete the bill's anti-environmental provisions, provide incentives for preserving and enhancing the environment, and reward farmer stewardship.

The LWVMN strongly favors agricultural policy which includes incentives for sustainable farming practices, for contributions to clean water and air, healthy soil and conservation of wildlife, and incentives for the preservation of agricultural land.

Thank you for your attention to this matter.

Sincerely,

Helen Palmer, Action Chair
LWVMN
612.377.5972

Subject: Conservation amendment to the Farm Bill

Date: Wed, 03 Oct 2001 16:07:26 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: bill.luther@mail.house.gov

The Honorable Bill Luther
Washington, D. C.

Dear Congressman Luther:

The League of Women Voters of Minnesota (LWVMN) would like to urge you to support the Boehlert-Kind-Gilchrest-Dingell amendment to the Farm Bill.

This conservation amendment would delete the bill's anti-environmental provisions, provide incentives for preserving and enhancing the environment, and reward farmer stewardship.

The LWVMN strongly favors agricultural policy which includes incentives for sustainable farming practices, for contributions to clean water and air, healthy soil and conservation of wildlife, and incentives for the preservation of agricultural land.

Thank you for your attention to this matter.

Sincerely,

Helen Palmer, Action Chair
LWVMN
612.377.5972

Subject: Conservation amendment to the Farm Bill

Date: Wed, 03 Oct 2001 16:03:06 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: mn03@mail.house.gov

The Honorable Jim Ramstad
Washington D.C.

Dear Congressman Ramstad:

The League of Women Voters of Minnesota (LWVMN) would like to urge you to support the Boehlert-Kind-Gilchrest-Dingell amendment to the Farm Bill.

This conservation amendment would delete the bill's anti-environmental provisions, provide incentives for preserving and enhancing the environment, and reward farmer stewardship.

The LWVMN strongly favors agricultural policy which includes incentives for sustainable farming practices, for contributions to clean water and air, healthy soil and conservation of wildlife, and incentives for the preservation of agricultural land.

Thank you for your attention to this matter.

Sincerely,

Helen Palmer, Action Chair
LWVMN
612.377.5972

Subject: Conservation amendment sign-on

Date: Mon, 01 Oct 2001 12:27:31 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: sfriedman@environmentaldefense.org

You may add the name of the League of Women Voters of Minnesota to the list of organizations supporting the Boehlert-Kind-Gilchrest conservation amendment to the Farm Bill.

Contact: Helen Palmer

Phone 612.377.5972

Address 2405 Sheridan Ave South, Minneapolis, MN 55405

email thepalmers@qwest.net



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10/05/2001

Oct. 5 - Inside Washington Today: House passes its farm bill

\$1 bil. less in fixed (AMTA) payments for more rural development funding

By [Jim Wiesemeyer](#), via a special arrangement with Sparks Companies, Inc.

The House today passed the omnibus farm bill (HR 2646). The vote count was 291-120.



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Subject: [Fwd: Conservation amendment to the Farm Bill]

Date: Wed, 03 Oct 2001 16:50:48 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: mn03@mail.house.gov

Congressman Ramstad:

Thank you for your speedy reply! I am resending the message, this time with my address and zip code:

Helen Palmer, Action Chair
LWVMN
2405 Sheridan Ave South
Minneapolis, MN 55405
612.377.5972

Subject: Conservation amendment to the Farm Bill

Date: Wed, 03 Oct 2001 16:03:06 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: mn03@mail.house.gov

The Honorable Jim Ramstad
Washington D.C.

Dear Congressman Ramstad:

The League of Women Voters of Minnesota (LWVMN) would like to urge you to support the Boehlert-Kind-Gilchrest-Dingell amendment to the Farm Bill.

This conservation amendment would delete the bill's anti-environmental provisions, provide incentives for preserving and enhancing the environment, and reward farmer stewardship.

The LWVMN strongly favors agricultural policy which includes incentives for sustainable farming practices, for contributions to clean water and air, healthy soil and conservation of wildlife, and incentives for the preservation of agricultural land.

Thank you for your attention to this matter.

Sincerely,

Helen Palmer, Action Chair
LWVMN
612.377.5972

Thank you!

Subject: Thank you!

Date: Fri, 12 Oct 2001 13:59:14 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: bill.luther@mail.house.gov

The Honorable Bill Luther
Washington, D. C.

Dear Congressman Luther:

The League of Women Voters of Minnesota (LWVMN) wishes to thank you for your support of the Boehlert-Kind-Gilchrest-Dingell amendment to the Farm Bill.

Sincerely,

Helen Palmer, Action Chair
LWVMN
2405 Sheridan Ave South
Minneapolis, MN 55405
612.377.5972

Subject: Farm Bill Boehlert amendment

Date: Fri, 12 Oct 2001 13:50:36 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: mn03@mail.house.gov

The Honorable Jim Ramstad
Washington D.C.

Dear Congressman Ramstad:

The League of Women Voters of Minnesota (LWVMN) wishes to thank you for your support of the Boehlert-Kind-Gilchrest-Dingell amendment to the Farm Bill.

Sincerely,

Helen Palmer, Action Chair
LWVMN
2405 Sheridan Ave South
Minneapolis, MN 55405
612.377.5972

Subject: Conservation amendment to the Farm Bill

Date: Wed, 03 Oct 2001 16:07:26 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: bill.luther@mail.house.gov

The Honorable Bill Luther
Washington, D. C.

Dear Congressman Luther:

The League of Women Voters of Minnesota (LWVMN) would like to urge you to support the Boehlert-Kind-Gilchrest-Dingell amendment to the Farm Bill.

This conservation amendment would delete the bill's anti-environmental provisions, provide incentives for preserving and enhancing the environment, and reward farmer stewardship.

The LWVMN strongly favors agricultural policy which includes incentives for sustainable farming practices, for contributions to clean water and air, healthy soil and conservation of wildlife, and incentives for the preservation of agricultural land.

Thank you for your attention to this matter.

Sincerely,

Helen Palmer, Action Chair
LWVMN
612.377.5972

Boehler Oct 4
cons amendment

Yes

No

(R)

Luther (D)

Guthrie (R)

Oberstar (D)

Kennedy (R)

Ramstad (R)

Petersen (D)

McCollum (D)

Sabo (D)

House votes:

clerkweb.house.gov

Subject: [Fwd: Agriculture Conservation Endorsement -- DEADLINE 10/3/01]

Date: Wed, 26 Sep 2001 11:38:38 -0500

From: Helen and Dean Palmer <thepalmers@qwest.net>

To: jmxley@lww.org

Hi Jodie: I am the Action Chair of the LWV Minnesota, and have a question for you. Is there any way the LWVUS could sign on to the attached or give permission to the LWVMN to do so? We have supporting environmental and agriculture positions. What are the procedures necessary? Thanks very much. Helen Palmer 612.377.5972

Subject: Agriculture Conservation Endorsement -- DEADLINE 10/3/01

Date: Tue, 25 Sep 2001 16:01:38 -0400

From: sfriedman@environmentaldefense.org

To: cwn-farmbill@igc.topica.com

Sign your organization on in support of the Boehlert-Kind-Gilchrest Conservation Amendment to the Farm Bill today! (The amendment is closely based on the Working Lands Stewardship Act, H.R. 2375).

According to the House Rules Committee, the Farm Bill will come to the floor of the House next Wednesday, October 3, 2001.

The House Agriculture Committee Farm Bill (the Agriculture Act of 2001, H.R. 2646) would eliminate key wetland protections, weaken longstanding wildlife habitat programs, subsidize large open waste lagoons, and greatly weaken the nation's conservation network for farmers.

But Representatives Boehlert, Kind, and Gilchrest will offer a conservation amendment closely based on the Working Lands Stewardship Act of 2001 (H.R. 2375) that would boost federal funds to preserve farm, ranch, and forest lands from sprawling development; improve water quality; protect food and drinking water supplies; enhance urban forestry and greenspace; and restore habitat for wildlife.

Please consider adding your organization, affiliation, or company to the list of endorsers of the Boehlert-Kind-Gilchrest Conservation Amendment TODAY!

DEADLINE: Monday, October 1, 2001 at 12noon Eastern Time.

For more information, visit
<http://www.environmentaldefense.org/programs/Ecosystems/AgriReform/index.html>

To be added to the list of endorsing organizations/affiliations/companies, please email or call Suzy Friedman with:

Name of organization

Contact person

Contact info (address, phone, email)

Suzy Friedman, sfriedman@environmentaldefense.org, 202-387-3500 x176.

Please share this endorsement alert with other interested organizations/affiliations.

The amendment will be very closely based on the Working Lands Stewardship Act (H.R. 2375). Please contact me if you want to see the amendment language/summary, which will be available September 26 or 27.

Also, please contact your Representative directly and urge him/her to support the Boehlert-Kind-Gilchrest Conservation Amendment when the Farm Bill comes to the floor of the House on October 3.

To get your Representative's phone number, visit
<http://www.congressmerge.com>

ENDORSEMENT:

We, the undersigned organizations, support the Boehlert-Kind-Gilchrest Conservation Amendment to replace the conservation title and amend the forestry title of the Agricultural Act of 2001, H.R. 2646.

In addition to producing food and fiber, American farmers, ranchers, and private forest landowners can contribute to cleaner water, wildlife habitat, and open space. But thousands of farmers, ranchers, and private forest landowners who seek federal financial and technical assistance to further promote the conservation and related benefits of food and fiber production are rejected each year due to inadequate funding for these federal financial and technical assistance programs. By increasing conservation and technical assistance, the Boehlert-Kind-Gilchrest Conservation Amendment will reduce long-term water treatment and dredging costs, protect wildlife, preserve farmland and open space, enhance urban forests and greenspace, enhance public health, protect and enhance privately owned forests, and more. A voluntary, incentive-based approach to conservation will reward farmer stewardship, help producers comply with regulations, and increase farm profitability.

To see a summary of the Working Lands Stewardship Act, visit
<http://www.environmentaldefense.org/programs/Ecosystems/AgriReform/workinglandssum.h>

To see the full bill, visit <http://thomas.loc.gov/> and search for H.R. 2375.

To see the full text of the Agriculture Act of 2001, visit
<http://thomas.loc.gov/> and search for H.R. 2646.

For more information, visit
<http://www.environmentaldefense.org/programs/Ecosystems/AgriReform/index.html>

Suzy Friedman
Agriculture Policy Analyst/Organizer
Environmental Defense
1875 Connecticut Ave., NW, #1016
Washington, DC 20009
202-387-3500 x176 (v), 202-234-6049 (f)
sfriedman@environmentaldefense.org
Check out our Agriculture Reform Campaign Website at
<http://www.environmentaldefense.org/programs/Ecosystems/AgriReform.html>

Clean Water Network listserve is for CWN members only and messages are intended so

==^=====

EASY UNSUBSCRIBE click here: <http://igc.topica.com/u/?bUrGqu.bU8lRP>
Or send an email To: cwn-farmbill-unsubscribe@igc.topica.com
This email was sent to: thepalmers@uswest.net

T O P I C A -- Register now to manage your mail!
<http://www.topica.com/partner/tag02/register>

==^=====

Subject: Help Farmers Help the Environment: Urgent Vote This Week

Date: Tue, 02 Oct 2001 20:14:57 GMT

From: "Environmental Defense Action Network" <TakeAction@environmentaldefense.org>

Reply-To: alert-response-wsse874178xb6d@actionnetwork.org

To: "Helen Palmer" <thepalmers@uswest.net>

Dear Helen,

Final House of Representatives Vote on Farming and the Environment!
Take action and help fundamentally reform federal agriculture policies.

You can take action on this alert either via email (please see directions below) or via the web at:
http://actionnetwork.org/campaign/farm_reformII/wsse874178xb6d

Spread the word about this urgent vote on farming and the environment. Visit the web address below and tell your friends to take action on this important campaign!
http://actionnetwork.org/campaign/farm_reformII/forward/wsse874178xb6d

We encourage you to take action by October 6, 2001

Help Farmers Help the Environment

Action Network from Environmental Defense.
Finding the ways that work.

This week, the House of Representatives will vote on a ten-year, \$170 billion Farm Bill that could severely hurt the environment. The Farm Bill (H.R. 2646) would:

- * Virtually repeal laws designed to protect wetlands;
- * Subsidize polluting technologies by huge factory farms;
- * Eliminate the most basic technical assistance to farmers to help the environment; and
- * Continue to deny funding and aid to most farmers seeking federal help to protect the environment.

But Representatives Sherwood Boehlert of New York, Ron Kind of Wisconsin, Wayne Gilchrest of Maryland, and John Dingell of Michigan will offer a bipartisan amendment to delete the bill's anti-environmental provisions and boost federal funds to preserve farm, ranch, and forest lands; improve water quality; protect food and drinking water supplies; and restore habitat for wildlife. This amendment represents a fundamental, progressive shift in environmental policy, and we need your support to make it happen. Frankly, in light of the ongoing national effort to deal with terrorism, we would prefer not to have other national debates right now. But since some in the Congress insist on forcing this issue under the radar, we need your help now.

Take action! Urge your Representative to help farmers help the environment by voting for the Boehlert-Kind-Gilchrest-Dingell Conservation Amendment to the Farm Bill this week.

In addition to sending an email, PLEASE CALL YOUR REPRESENTATIVE!
Phone calls are especially important and effective.
To get your Representative's phone number, visit <http://www.congressmerge.com> .
For talking points, visit <http://www.environmentaldefense.org/programs/Ecosystems/Ag>

For more information about the Boehlert-Kind-Gilchrest-Dingell
Conservation Amendment and Environmental Defense's
efforts to reform agricultural practices, visit: <http://www.environmentaldefense.org>

Questions? Contact Suzy Friedman, Agriculture Policy
Analyst and Organizer, at sfriedman@environmentaldefense.org

INSTRUCTIONS TO RESPOND VIA THE WEB:
If you have access to a web browser, you can take action
on this alert by going to the following URL:

http://actionnetwork.org/campaign/farm_reformII/wsse874178xb6d

INSTRUCTIONS TO RESPOND VIA EMAIL:
Just choose the "reply to sender" option on your email
program, and edit the letter below as you wish. Do
not delete "-YOU MAY EDIT THE LETTER BELOW-" and "-END
OF LETTER-". Please do not add your name and address
to your letter. Our system automatically does this
for you.

We STRONGLY encourage you to make edits directly to
our sample letter below, and put the alert talking
points into your own words. An individualized letter
is worth ten computer generated letters. Of course,
hundreds of unedited letters will still create a large
impact, so please reply even if you don't have time
to personalize the letter.

Your letter will be addressed and sent to:
Representative Martin Sabo

-----YOU MAY EDIT THE LETTER BELOW-----

I urge you to reward farmers, ranchers, and forest
landowners who want to help meet our environmental
challenges by voting for the Boehlert-Kind-Gilchrest-Dingell
Conservation Amendment to the Farm Bill this week.

The Farm Bill proposed by Representative Combest (H.R.
2646) would continue to provide huge subsidies to the
nation's largest factory farms in a handful of states
and will weaken many of our basic environmental protections.
By shifting funding from these subsidies into USDA
conservation programs, the Boehlert-Kind-Gilchrest-Dingell
Conservation Amendment will offer assistance to many
more farmers, ranchers, and forest landowners in all
regions of the country, and will help them provide
clean water, wildlife habitat, and open spaces.

Today, two out of three farmers seeking USDA conservation
assistance are rejected due to inadequate funding.
Boosting annual funding for voluntary incentive-based

conservation programs not only helps protect the environment, but also contributes to farm and ranch income, helps ease regulatory burdens, and reduces water treatment costs. These reforms will ensure that all farmers, including dairy farmers, livestock operators, and fruit and vegetable producers, are eligible for federal assistance. The Boehlert-Kind-Gilchrest-Dingell Amendment will also help ensure that agricultural subsidies do not violate our trade agreements.

Unless we reward farmers when they meet our nation's environmental challenges, one-third of our rivers and lakes will remain polluted, hundreds of species will creep closer to extinction, and millions of acres of open space will be lost forever.

I urge you to vote for the Boehlert-Kind-Gilchrest-Dingell conservation amendment to the Farm Bill this week.

-----END OF LETTER-----

Sincerely yours,

Helen Palmer
2405 Sheridan Ave South
Minneapolis, MN 55405

If you would like to unsubscribe from Environmental Defense Action Network, you can respond to this email with "REMOVE" as the subject, or you can visit your subscription management page at:

<http://actionnetwork.org/pvtm/index.tcl?akey=wsse874178xb6d>

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<http://www.getactive.com>

Kay Erickson

From: "Sally Sawyer" <ssawyer@lwwmn.org>
To: "Kay Erickson" <kerickson@visi.com>
Sent: Wednesday, April 25, 2001 5:06 PM
Subject: Fw: Action agenda/Kay

----- Original Message -----

From: David Kamis
To: ssawyer@lwwmn.org
Sent: Wednesday, April 25, 2001 3:34 PM
Subject: Action agenda/Kay

Sally,

I just sent you my revised ALERT on aggregate bill, my fax still not working.

Please also ask Kay Erickson to include ag position on the Action brochure on the agenda for April 30 meeting and update her on these:

- 1) Ag nuisance bill (SF701/HF1356) has been on House calendar for floor vote since Monday April 23. We expect a vote this afternoon, April 25. All representatives are asked to vote NO. Some members of ag committee sent notes that pages took to members on the floor Monday, April 23. *- Limits amt. of participation by public to file comment and can never raise issue again - Part of nationwide effort.*
- 2) Aggregate bill (SF266/HF371) is not yet scheduled for House floor (how could that be?). I revised an alert to send out today, calling for all representatives to vote NO.
- 3) The bills funding EISs (intended for big feedlots court-ordered to do them) are in Senate Finance committee now, chaired by Sen. Doug Johnson. We are asking Senators to do amendments to take them out. I was at Capitol yesterday with Land Stewardship Project on these. Don't have time to do more LWV alerts on this one. *Common. voted to do it once. \$110,000 could be \$400,000*

Stephanie Henriksen 5007-645-7086

Kay Erickson

From: "LWVMN State Office" <office@lwvmn.org>
To: "Susan Weisbrod" <sweisb@aol.com>; "Susan Anderson" <susan331@aol.com>; "Stacy Doepner-Hove" <doepn002@tc.umn.edu>; "Sally Sawyer" <ssawyer@lwvmn.org>; "Robin B. Tjernlund" <robynjoy@aol.com>; "Mary Steen" <msteen@stolaf.edu>; "Liz Nordling" <enordling@att.net>; "Kay Erickson" <kerickson@visi.com>; "Kathy Kolb" <kathyjokolb@aol.com>; "Karen Gochberg" <KGoch1225@Yahoo.com>; "Judy Duffy" <GandJDuffy@aol.com>; "Judy Covey" <jcovey@rconnect.com>; "Jeannette Lang" <jeannettelang@cs.com>; "Jeanne Matlock" <jmatlock@pro-ns.net>; "Jean and Dixon Tews" <jeantews@aol.com>; "Janet Gendler" <jhgendler@aol.com>; "Jane McWilliams" <jmcwilliams@microassist.com>; "Eydie Kargas" <ekargas@wavefront.com>; "Deidra Avendasora" <deidra@enodat.com>; "Connie Hondl" <conhondl@aol.com>; "Carol Frisch" <ckfrisch@aol.com>; "Andrea Lex" <alex@lwvmn.org>; "Adrienne Wickstrom" <adywickstrom@mn.mediaone.net>; "Laurie Boche" <labl@aol.com>
Sent: Wednesday, April 25, 2001 4:11 PM
Subject: Aggregate Mining
To: Local League Presidents
Ten Minute Activists
LWVMN Board
Action Committee

From: Stephanie Henriksen, LWVMN Lobbyist

Re: Action alert on bill requiring county and township governments in metro counties to accommodate aggregate mining.

Date: April 25, 2001

LWVUS Position: Promote an environment beneficial to life through the protection and wise management of natural resources.

ACTION: Please call your representative to vote NO on HF371 (SF266) when it comes to the House floor.

Background: A mining company hoping to open up 600- and 900- acre sites in Waterford and Douglas townships in Dakota County, is promoting this bill. SF266 requires local governments to give consideration for "preservation and development" of aggregate (rock for road building) in their land use plans. HF371 also references information on supply and demand from the metropolitan council. Representative Dennis Ozment has added a requirement that the Legislature give approval for the water use permit.

The Department of Natural Resources now issues water use permits for operations using over two million gallons per day. Given that the Legislature has been more permissive than the state agencies in regard to natural resources issues in the past, we must be wary of giving them the final say.

This bill, however mild the wording may seem to be, is an intrusion on local control. Rather than sacrifice all the agricultural land in the townships for available rock which is soon to run out, alternative materials should be under study.

4/25/2001

Please make 10 copies for ACTION downstairs

Kay Erickson, LWV Action Committee TODAY April 2, 2001:

NO to SF701 (HF 1356)

I spoke with a lobbyist who is also an attorney yesterday, April 1. He said if SF701 (Scheevel R-Preston) passes, that any groups interested in regulation of farm operations (be it crops or livestock) in the future will be out of luck.

He said organic and sustainable groups don't seem to have caught on and to get the word out!!!!!! Any bill trying to establish liability for pollen drift from neighboring crop, for example, could be useless.

As it is now, neighbors have two years to issue a nuisance complaint against a farm operation except for feedlots over 1000 animal units which are still subject to a complaint. With this bill, once an operation has passed the two-yr mark, it can change owners, expand, quit and start up again or whatever without being subject to complaint. The threshold for feedlot complaints is raised to 2000 animal units (so big it misses almost all).

SF701 passed ag committee and goes to Senate Environment (Jane Krentz chair 296-1113). Companion bill HF1356 (Dorman R-Albert Lea) has passed ag and environment committees and goes to Civil Law next (Steve Smith chair 296-9188). Please call anyone on these committees to vote NO.

Iowa exempts farm operations from nuisance complaints. Anyone been through Iowa lately?

Stephanie Henriksen 607-645-7086

send alert to LAW

*645/507/
645/0275*



THE LEAGUE OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (651) 224-5445 FAX (651) 290-2145

Comments by the League of Women Voters of Minnesota on the Draft Generic Environmental Impact Statement on Animal Agriculture

Presented by Nancy Witta, LWVMN
Public Hearing, Earle Brown Center, St. Paul
September 10, 2001

Thank you for allowing me to speak. My name is Nancy Witta and I am speaking on behalf of the League of Women Voters of Minnesota. The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government and influences public policy through education and advocacy.

The LWVMN believes that the state should encourage a system of sustainable agricultural production which provides safe, healthful food and which preserves and protects the state's human and natural agricultural resources and enhances the environment.

- We support all GEIS policy recommendations which
 - a. provide *real enforcement* (hence real funding) of current laws which protect Minnesota's land, air, and water, human health, and
 - b. which *strengthen* this protection.
- We strongly support the use of *incentives* for sustainable farming practices, for contributions to clean water and air, healthy soil and conservation of wildlife and for the preservation of agricultural land. We therefore support policy recommendation #72 which encourages the development of alternative agriculture production systems in MN, and policy recommendation #73 which encourages the use of "Green Payments."
- We believe that the subtherapeutic use of antibiotics in food animals is of critical concern: LWVMN is planning a public forum on this issue.
- In a democracy it is crucial that citizens be informed. The League believes that the public has a right to know about pollution levels, dangers to health and the environment. Public records should be readily accessible at all governmental levels. We applaud the policy recommendations that call for more public education and participation in matters of public concern relating to feedlots—and this means adequate funding. We are pleased to see proposals that call for complete, consistent reporting of feedlot complaints.
- *Public* money should be devoted to agricultural research, development and technical assistance and such resources should be targeted to developing sustainable agricultural practices and addressing the needs of mid-sized farms.

- The LWVMN believes the state should promote the stability of rural communities through community and regional planning, through education (in such things as farm management, marketing, etc), and by assuring livable wages for workers. The League applauds social policy recommendations that encourage community interaction.
- The League strongly supports policy recommendation #62: increase funding and information on programs which assist small and mid-size producers to fulfill environmental stewardship responsibilities, and #63 which calls for establishing and promoting marketing alternatives for small-sized producers and those not engaged in contract production.
- For reasons of health, both animal and human, as well as concerns for the ethics of animal treatment, the LWVMN strongly supports policy recommendation #65, which establishes humane codes of practice for MN animal agriculture.
- Finally, the LWVMN, which strongly supports family- and small- and moderate-sized farms, would like to see policy recommendations promoting:
 - support for beginning farmers
 - innovative practices and crops for moderate- and small-sized farms
 - farmer-controlled cooperatives which serve moderate- and small-sized farms
 - assurance that corporate farms be held liable for their share of losses, environmental damage, public health hazards, etc.

Thank you very much. I will provide you with a copy of my comments.



United States Department of Agriculture

Palmer - F-11
RECEIVED MAR 12 2001

New Report

Agri-Environmental Policy at the Crossroads: Guideposts on a Changing Landscape (AER-794) is now available from USDA's Economic Research Service. This report anticipates the upcoming farm bill debate and provides policymakers with a guide to some of the choices they may face with respect to natural resource and environmental issues.

Emerging agri-environmental concerns, flux in farm income support programs, and limits imposed on policy by trade agreements are among factors suggesting a shift in direction of agri-environmental policy. This report identifies the implications of alternative policy choices, focusing especially on agri-environmental payment options. Our analysis shows that both how income is distributed and how much environmental quality gets improved vary substantially by agri-environmental payment program design features. We consider features such as how goals are specified, how eligibility for payments is defined, and whether payment levels are based on environmental benefits or costs of subsidized actions.

You can obtain an electronic copy of this report on the ERS website at www.ers.usda.gov. Printed copies are available from the USDA order desk, 1-800-999-6779. Please ask for order number ERS-AER-794.

Kay Erickson

From: "Mason C. and Gwen S. Myers" <salmyers@ix.netcom.com>
To: <kerickson@visi.com>
Sent: Tuesday, May 01, 2001 9:31 PM
Attach: HF 1356 - Ag Bill.doc
Subject: HF1356 (SF701)

I can't remember if I told you I'd check on these agriculture bills, but here's the info.

To protect farmers, current law allows neighbors two years to issue a nuisance complaint against a farm operation unless it expands more than 25% in acreage or in number of animals. Current law does not provide this protection to hog operations w/ 1,000 or more animals.

HF 1356 (Dorman R-Albert Lea) broadens the liability waiver to shield farming operations that change in size or scope of operation, change ownership, apply new technology, temporarily cease farming, or change the type of farm product produced. The exception for hog operations is raised to 2,000 animals. In other words, your attractive small farm operation can double or triple in size, change ownership, decide to raise hogs instead of Holsteins, and the neighbors are out of luck.

HF 1356 was on the Consent Calendar on April 19, it was continued, and hasn't appeared to date, as far as I can tell. In the Senate, SF 701 (Scheevel R-Preston) passed the Agriculture Committee and has been waiting for a hearing in the Environment and Natural Resources Committee since March. Sen. Krentz is an environmentalist, I believe, and probably won't find time for this one, so it will show up as an amendment to something, I 'spose.

FILE NUMBER: H. F. 1356

DATE: March 28, 2001

Version: First Engrossment

STATUS: Civil Law Committee

Authors: Dorman and Others

Subject: Agricultural Operations Nuisance Liability

Analyst: Sam Rankin, 651-296-5047

This document can be made available in alternative formats upon request. Please

call (651) 296-6753 [voice]; or the Minnesota State Relay Service at
1-800-627-3529 [TTY] for assistance.

Overview

Current Minnesota law declares that an agricultural operation is not a

5/2/2001

private or public nuisance after two years of operation without an expansion of more than 25 percent in acreage or the livestock numbers. However, current law does not provide this protection for a hog operation with a capacity of 1,000 or more animal units. House File 1356 broadens the application of the liability waiver to shield from nuisance liability farming operations that change in size or scope of cropping operation, ownership, the application of new technologies, or enrollment in government programs. Also, the exception for a hog operation is raised to 2,000 animal units.

Section

- 1 Definitions. The definition of "established date of operation" is changed so that the two-year window for possible nuisance liability is waived even though the farm operation changes ownership, changes in size and scope of cropping activity, is interrupted and then resumed, or if the technology and products of the farming operation change.
- 2 Agricultural operation not a nuisance. The provisions under which the nuisance liability shield do not apply are broadened and clarified. Injury or pollution conditions lift the shield only if they also violate state laws, rules, or permits. Also, protection of the shield from nuisance liability is extended to a swine operation with a capacity of 2,000 animal units rather than just 1,000 animal units.
- 3 Effective date. The changes in nuisance liability are effective the day following final enactment.

Kay Erickson

From: <thepalmers@pop.roch.uswest.net>
To: "David Kamis" <dkamis@rconnect.com>
Sent: Tuesday, May 01, 2001 2:15 PM
Subject: Re: FW: NEWS RELEASE -

Thanks, Stephanie, even though it's such pitiful news. I'll pass it along to Kay. Helen

David Kamis wrote:

- > Helen Palmer and Kay Erickson:
- > Notice the 69-63 vote on straight party lines in the House ag omnibus in
- > this press release. A major loss. It was shocking to watch on TV.
- >
- > In addition to the regular CAPITOL LETTER reports this session, one general
- > alert was sent out and one letter was issued in April under our new ag
- > position passed by the State Board in March:
- >
- > 1) Alert on SF701 (Scheevel) and companion HF1356 (Dorman) increasing
- > nuisance liability protection for farm operations. Senate version would make
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- > amounts of money have since gotten into the ag omnibus in both Senate and
- > House so a bad precedent has been set.
- > -----
- > From: "MN Right ToBeRural" <righttoberural@hotmail.com>
- > To: ckoppen@rconnect.com, donnayg@prairietech.net, gordmett@emily.net,
- > ltarasar@prosourcetechnology.com, lorio@wikel.com, kjm123@gotocrystal.net,
- > nanlars@aol.com, krenn@mn.uswest.net, cumings@hutchtel.net,
- > paulheyl@hotmail.com, lunzfarm@rconnect.com, rschfarm@aol.com,
- > hoof-parker@prodigy.net, slehrich@bevcomm.net, dkamis@rconnect.com,
- > mmra4cluc@aol.com, henningtima@yahoo.com, wyspano@spanjan.com,
- > tsmalec@hotmail.com, glsports@rconnect.com, ghorner@tnc.org,
- > robertamoore@earthlink.net, joel.johnson@house.leg.state.mn.us,
- > virgil.mcdill@house.leg.state.mn.us, wcleonard@hotmail.com,
- > cpetersn@netins.net
- > Subject: NEWS RELEASE -

> Date: Mon, Apr 30, 2001, 9:34 AM
 >
 > NEWS RELEASE
 > Minnesota Right to Be Rural Coalition
 > Rep. Doug Peterson, Chair
 > Route 3, Box 90, Madison, MN 56256
 > 320/769-2453
 > righttoberural@hotmail.com
 >
 > April 27, 2001
 >
 > PETERSON: HOUSE AG BILL HAS TOO MANY BUREAUCRATS, TOO LITTLE HELP FOR
 > FARMERS
 >
 > The budget bill for agricultural and rural programs contains too much
 > spending on the wrong priorities, adding a host of new bureaucrats while
 > providing little real help to working farmers facing economic difficulties,
 > Rep. Doug Peterson said after voting against the bill in the Minnesota House
 >
 > Thursday.
 > "This bill represents a disturbing vision for Rural Minnesota," Peterson,
 > chair of the Minnesota Right to Be Rural Coalition and the House DFL Rural
 > Caucus, said. "While fewer farmers remain on the land, more bureaucrats
 > will come to the Agriculture Department. Important programs like
 > sustainable agriculture are under-funded while new dollars are poured into
 > corporate welfare for corporate agriculture."
 > The bill passed on a straight party line vote, with 69 Republicans voting
 > in a bloc to force it through and all 63 House DFLers voting against it.
 > The opponents included leading MRBRC members Rep. Ted Winter, Al Juhnke,
 > Gary Kubly and Mary Ellen Otremba as well as Peterson.
 > Peterson said that one positive development was elimination of \$1.2 million
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 > of fee increases on farmers and consumers that had been proposed by Gov.
 > Jesse Ventura.
 > "But to cover the loss of revenue that results from rolling back the fee
 > increases, Republicans slashed a number of programs that actually help
 > farmers, such as support for sustainable farming, the 'dairy diagnostics'
 > program and turkey disease research. Why couldn't we get rid of some of
 > these new positions that were created in the Ag Department?" Peterson asked.
 > Among the new positions funded in the bill were \$275,000 for an
 > "agricultural trade specialist," \$300,000 for additional feedlot inspectors
 > and \$430,000 for a program designed to help market the products of factory
 > farms.
 > One highly controversial provision was a \$300,000 grant to pay for a
 > court-ordered Environmental Impact Statement for a hog feedlot in Pope
 > County - the first time public funds have ever been used for that private
 > purpose. Peterson said that set a bad precedent, opening the door to more
 > such requests from factories, power plants or other industrial facilities as
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 > well as feedlots. Rep. Winter moved to delete that funding, but Republicans
 > voted down the effort.

- > "But really the problem with this bill was not so much what was in it, but
- > what was left out," Peterson said. "Too many programs are slanted toward the
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- > needs of the big producers, while the efforts to help the small to mid-sized
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- > While the House bill has \$8 million more money than the Governor's proposed
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- > * The ethanol support program is not funded at the level needed to bring
- > new plants on-line, and a planned new plant in Granite Falls that is ready
- > to break ground is put at the back of the line for aid.
- > * The bill under-funds programs promoting organic and sustainable farming
- > while at the same time promoting and assisting industrial-scale factory farm
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- > production in a variety of ways.
- > * The bill fails to fund or under-funds the network of programs designed to
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- > help farmers cope with financial problems, such as Farm Advocates,
- > Agriculture Information Centers and Farm Wrap.
- > * The bill ignores DFL-authored efforts to respond to the dairy price
- > crisis, including the "Milk Power" bill authored by Rep. Otremba that would
- > directly increase dairy producers' incomes and restoration of the Dairy
- > Board.
- > Peterson said the impact of the bill would be felt throughout Rural
- > Minnesota, because rural communities depend on a prosperous farm economy.
- > "As I've been saying since the price crisis began three years ago, keeping
- > farmers on the land means keeping customers on Main Street, keeping families
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- > in the churches, keeping kids in the schools and keeping dollars in the
- > local economy," he said. "Every time we lose a farm family, we take away
- > another support for Rural Minnesota. The Republican authors of this bill
- > not only fail to respond to this trend - they're actively promoting it."
- >
- > -30-
- >
- >
- > "The Right to Be Rural" is a registered servicemark of the Minnesota Right
- > to Be Rural Coalition.
- >
- > You have received this e-mail because you registered as a member of the
- > coalition. Respond to: righttoberural@hotmail.com
- >
- > Get your FREE download of MSN Explorer at <http://explorer.msn.com>

Subject: urgent calls needed again!!!!

Date: Tue, 24 Apr 2001 12:07:45 -0500

From: "jjansen" <jjansen@willmar.com>

To: jjansen@willmar.com

Subject: urgent calls needed again!!!!

Dear Feedlot Friends,

Yesterday, Senator Berg passed a provision onto the Agriculture and Natural Resource omnibus bill to provide \$200,000 to Hancock Pro Pork for the Court ordered EIS. \$166,000 was also incorporated into this bill for court ordered EIS, such as Rieland Dairy. This will be heard in the full Finance committee today at 1 p.m. Calls are desperately needed to the following Senators! Tell the Senators you do not support the legislature paying for industries Environmental Impact Studies.

Finance Committee
Members and Staff

✓Chair: Douglas J. Johnson 651-296-8881
Vice chair: David H. Johnson 651-296-9261
Ranking Minority member: Dennis R. Frederickson 651-296-8138
Members:

left message 4-24-01

✓Ellen R. Anderson 651-296-5537
Charles A. Berg 651-296-5094
Linda Berglin 651-296-4261
Satveer Chaudhary 651-296-4334
Richard J. Cohen 651-296-5931
Dick Day 651-296-9457
Steve Dille 651-296-4131
Linda Higgins 651-296-9246
Dean E. Johnson 651-296-3826
Randy C. Kelly 651-296-5285
Sheila M. Kiscaden 651-296-4848
Dave Kleis 651-296-6455
David L. Knutson 651-296-4120
Jane Krentz 651-296-7061
Keith Langseth 651-296-3205
Cal Larson 651-296-5655
Becky Lourey 651-296-0293
James P. Metzen 651-296-4370
Thomas M. Neuville 651-296-1279
Mark Ourada 651-296-5981
Pat Pariseau 651-296-5252
Leonard R. Price 651-297-8060
Jane B. Ranum 651-297-8061
Twyla L. Ring 651-296-5419
Martha R. Robertson 651-296-4314
Claire A. Robling 651-296-4123
Julie A. Sabo 651-296-4274
Dallas C. Sams 651-297-8063
Sam G. Solon 651-296-4188
Dan Stevens 651-296-8075
Roy Terwilliger 651-296-6238
Jim Vickerman 651-296-5650
Deanna Weiner 651-297-8073
Charles W. Wiger 651-296-6820

This bill is a real slap in the face to the citizens who have fought hard to

obtain environmental protection. This provision sets a strong precedence to other feedlot and industry related EIS cases.

- * The citizens financial costs to insure that environmental review regulations are not being reimbursed by the state.
- * Citizens are the only ones that are not reimbursed
- * Senator Berg testified that Hancock Pro Pork has spent \$300,000 on legal fees (they could have paid for their own EIS).
- * TWO Courts, individual opinions of judges have ordered that the EIS be completed.
- * original costs of EIS were estimated at \$426,461.45
- * The MPCA has stated that they have used 1/2 person staff time since 1998 on this case.
- * The MPCA has forgiven \$138,886.89 on this case already

- * The EQB transferred \$51,628 from the GEIS on Agriculture to the Hancock Pro Pork case.
- * cost left to pay is \$208,612.85
- * Hancock Pro Pork has 11 sites, The cost is less than a new car for each site. The tax payers are being asked to pay.
- * Hancock Pro Pork knew of the litigation before they built their operation.
- * Hancock Pro Pork has chosen to fight this case through appeals, the citizens have had to fight to defend the courts decision since 1998.
- * Hancock Pro Pork filed a motion to end the EIS the state voted 8 to 1 not to end the court ordered EIS.
- * The EQB spent many hours addressing the cost dispute and the request to terminate the EIS.
- * As the result of cost dispute before the ,EQB costs were further reduced by \$78,961.71
- * Presently, Hancock Pro Pork is in the appeal process to appeal the denial to terminate the EIS.

- * Hancock Pro Pork has had the benefit of operating since 1998 and the EIS is still not complete.
- * The Commissioner of the MPCA called for an audit be done by a 3rd party on Hancock Pro Pork's finances including the costs they have paid for attorney fees. Hancock Pro Pork alleges inability to pay for the EIS (they can afford one the best, most expensive attorney in the state to fight decisions, yet not pay for EIS?). An audit has not been done yet, and tax dollars are already be used for their EIS?
- * The State Of Minnesota can not afford many things that tax payers really need, education, environmental protection, enforcement of environmental laws..... yet tax dollars are being asked to pay for this? This will only benefit one operation, not the state. Tax Payers should not be paying for this.

Subject: FW: NEWS RELEASE -

Date: Tue, 01 May 2001 14:59:27 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: thepalmers@uswest.net

CC: estes@fallsnet.com

ag lobbying

Helen Palmer and Kay Erickson:

Notice the 69-63 vote on straight party lines in the House ag omnibus in this press release. A major loss. It was shocking to watch on TV.

In addition to the regular CAPITOL LETTER reports this session, one general alert was sent out and one letter was issued in April under our new ag position passed by the State Board in March:

1) Alert on SF701 (Scheevel) and companion HF1356 (Dorman) increasing nuisance liability protection for farm operations. Senate version would make it almost impossible for neighbors to sue, House version is less onerous. SF701 did not proceed in the Senate but House version HF1356 is still active and all representatives are asked to vote NO on the House floor (was on calendar for April 23 and still not heard as of May 1).

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From: "MN Right ToBeRural" <righttoberural@hotmail.com>
To: ckoppen@rconnect.com, donnayg@prairietech.net, gordmett@emily.net, ltarasar@prosourcectech.com, lorio@wiktel.com, kjml23@gotocrystal.net, nanlars@aol.com, krenn@mn.uswest.net, cumings@hutchtel.net, paulheyl@hotmail.com, lunzfarm@rconnect.com, rschfarm@aol.com, hoof-parker@prodigy.net, slehrich@bevcomm.net, dkamis@rconnect.com, mmra4cluc@aol.com, henningtima@yahoo.com, wyspano@spanjan.com, tsmalec@hotmail.com, glsports@rconnect.com, ghorner@tnc.org, robertamoore@earthlink.net, joel.johnson@house.leg.state.mn.us, virgil.mcdill@house.leg.state.mn.us, wcleonard@hotmail.com, cpetersn@netins.net

Subject: NEWS RELEASE -

Date: Mon, Apr 30, 2001, 9:34 AM

NEWS RELEASE

Minnesota Right to Be Rural Coalition

Rep. Doug Peterson, Chair

Route 3, Box 90, Madison, MN 56256

320/769-2453

righttoberural@hotmail.com

April 27, 2001

PETERSON: HOUSE AG BILL HAS TOO MANY BUREAUCRATS, TOO LITTLE HELP FOR FARMERS

The budget bill for agricultural and rural programs contains too much

spending on the wrong priorities, adding a host of new bureaucrats while providing little real help to working farmers facing economic difficulties, Rep. Doug Peterson said after voting against the bill in the Minnesota House

Thursday.

"This bill represents a disturbing vision for Rural Minnesota," Peterson, chair of the Minnesota Right to Be Rural Coalition and the House DFL Rural Caucus, said. "While fewer farmers remain on the land, more bureaucrats will come to the Agriculture Department. Important programs like sustainable agriculture are under-funded while new dollars are poured into corporate welfare for corporate agriculture."

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"But to cover the loss of revenue that results from rolling back the fee increases, Republicans slashed a number of programs that actually help farmers, such as support for sustainable farming, the 'dairy diagnostics' program and turkey disease research. Why couldn't we get rid of some of these new positions that were created in the Ag Department?" Peterson asked.

Among the new positions funded in the bill were \$275,000 for an "agricultural trade specialist," \$300,000 for additional feedlot inspectors and \$430,000 for a program designed to help market the products of factory farms.

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-30-

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You have received this e-mail because you registered as a member of the coalition. Respond to: righttoberural@hotmail.com

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Subject: Ag bills, LWV

Date: Thu, 22 Feb 2001 15:06:02 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: bvaile@nco.northfield.mn.us

CC: thepalmers@uswest.net, dlederer@cloudnet.com, tojoro@worldnet.att.net, jpeck@cloudnet.com, hgardens@charter.net, dkamis@rconnect.com

ag lobbying

Did you read the Star Trib article on the forum (Sunday, 2-11) metro? Good one. I just sent my natural resources report for Capitol Letter. Three new bills worth noting:

HF495 (Finseth R-Angus) would remove the MPCA's authority to regulate feedlots and place rulemaking and enforcement under the department of Ag!!! The governor tried to put dairy under Dept. of Ag last year through an MOU (memorandum of understanding) to the MPCA--somehow it didn't follow through. This move is more drastic, puts all feedlots under Hugoson's direction. As you said, Helen, Dept. of Ag's role in promotion of ag may be in conflict with enforcement role!

Then there is SF701 (Scheevel-R Preston) to expand nuisance liability protection for ag operations. Neighbors only have two years from the established date of an operation to issue a complaint. This bill would not restart the timetable with new ownership. It would also raise the size of hog operation under which one can still be subject to complaint from 1000 au to 2000 au.

Shooting ranges have been a problem for Rice County and I'm sure others--there are 375 of them statewide. They complain that development is encroaching on them, etc. Quite the opposite was true here (they relocated near existing farms and homes). Their bill HF209 (Hakbarth-R Cedar) redefines shooting ranges and sets standards designed to limit township and county response to complaints.

I am joining a Waseca County busload to MPCA tomorrow, Feb.20, to call for an EIS on Alliance Dairy (1600 cow). Has 3 manure basins, a mega-dairy by some Zimmerman brothers who have big sow operation as well. Mn Milk Producers was effective in holding back legislation favoring large interests until recently. A new group, Milk Power, is organizing. They are having a SE Mn meeting in Zumbrota soon and need publicity.

I am still quite blue about the Northfield ag consensus meeting. Mary Steen was recorder and turned in results to the state office before our local president had a chance to go over them with her.

Have you all gotten full media mileage out of the Collegeville event? Bring your clippings to the March 8 meeting. Stephanie Henriksen

>From: <bvaile@nco.northfield.mn.us>
>To: David Kamis <dkamis@rconnect.com>
>Cc: thepalmers@uswest.net, dlederer@cloudnet.com, tojoro@worldnet.att.net, jpeck@cloudnet.com, hgardens@charter.net
>Subject: Re: Collegeville Feedback
>Date: Mon, Feb 12, 2001, 7:36 AM
>

>WELL DONE, St. Cloud! Heartening to see so many gather. Especially liked
>the panel of farmers, Linda.
>Next...
>See you the 8th.
>Barbara
>
>

Subject: ENVIRONMENTAL ALERT: Air and Water Safeguards for Children

Date: Wed, 2 May 2001 11:03:06 -0500

From: "Minnesota Environmental Action Network" <info@mnaction.org>

To: thepalmers@uswest.net

LWVMA join?

Dear Helen,

Many environmental organizations are encouraging the Department of Health to establish safeguards for children from polluted air and drinking water.

Problem:

The amount of pollutants allowed in our air and drinking water is based on health risks to adults and leaves children at risk.

Solution:

Air and drinking water standards should be established at levels that protect children from a variety of known toxic impacts including cancers, hormonal dysfunctions, and neurological problems.

Action Needed:

Encourage your legislators and key committee chairs to support legislation calling on the Department of Health to establish guidelines for protecting children from toxic pollutants.

Please Note:

If you would like to inform your friends about this alert, please tell them to go to www.mnaction.org to sign up for the Minnesota Environmental Action Network. Please do not forward this message, as it contains a link that is specific to your personal information.

Deadline for responding:

Please take action by Thursday, May 3, 2001.

To send a message, please click the link below:

<http://www.mnaction.org/react.asp?aacwc=2632899001816763980>

The following organizations are participating in this campaign:

1000 Friends of Minnesota
Citizens For a Better Environment
Clean Water Action Alliance of MN
Communities for Responsible Energy/Environment Demonstration Project
Environmental Association for Great Lakes Education
Friends of the Mississippi River
Izaak Walton League of America - MN Division
Land Stewardship Project
League of Conservation Voters Education Fund
Minnesota Center for Environmental Advocacy
Minnesota Lakes Association
Minnesota League of Conservation Voters
Minnesota Project
Minnesotans for Responsible Recreation
North American Water Office
People Against Chemical Excess
Sierra Club - North Star Chapter
Women's Cancer Resource Center

To Unsubscribe:

<http://www.mnaction.org/sub.asp?aacwc=2632899001816763980>

Subject: FW: Action Alert: The new budget and what it means to Organic Farming in Minnesota

Date: Fri, 26 Jan 2001 16:25:17 -0500

From: "Jo Anne Rohricht" <ToJoRo@worldnet.att.net>

To: dlederer@cloudnet.com, thepalmer@uswest.net, dkamis@rconnect.com, hobbie@tc.umn.edu, cynthia.hendricks@state.mn.us, psnyder@tc.umn.edu, sundq001@umn.edu, jscoville@northland.edu

From: Fredlud@aol.com (by way of Debbie Ortman
<debbie@organicconsumers.org>)

To: (Recipient list suppressed)

Subject: Action Alert: The new budget and what it means to Organic Farming in Minnesota

Date: Thu, Jan 25, 2001, 9:26 AM

Minnesota Department of Agriculture commissioner Gene Hugoson submitted to Gov. Jesse and budget that slashes all projects that pertain to organic and sustainable farming in Minnesota.

He proposes:

Minnesota Institute of Sustainable Agriculture (MISA) - funding cuts of \$40,000, a 40% decrease

The Organic Cost Share Program - elimination of this project that helps farmers with some of the cost for organic certification. This project was modeled in the new National Organic Food Standards. The national cost share project is only being implemented in 15 states and MN is not one of them.

All Projects that supply MN farmers with information and demos for organic production has also been cut under Hugoson's proposed budget.

Please call Governor Ventura and ask him to not make these cuts and to replace Gene Hugoson as our Commissioner of Agriculture.

Governor Jesse Ventura - 651-296-3391

spread the word

Tom Taylor

Organic Consumers Association

612.331.7309

tom@organicconsumers.org

www.purefood.org

2/5/01 left mess. w/ caller re +
296.0172

MPCA



THE LEAGUE
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

April 18, 2001

Sen. Leonard Price, Chair
Environment and Agriculture Budget
235 Capitol
75 Constitution Ave.
St. Paul, MN 55155

RE: SF 2068
and SF 2071

Dear Sen. Price:

The League of Women Voters Minnesota (LWVMN) believes our state should support family-owned, moderate and small-sized farms. Further, LWVMN holds that the state of Minnesota should ensure that corporate farms be held liable for their share of losses, environmental damage and public health hazards.

On that basis, we oppose SF 2068 appropriating \$400,000 for a karst region study in southeast Minnesota which would, in effect, fund a court-ordered Environmental Impact Statement for a specific large dairy in that area. Instead, we support the ongoing GEIS study funded by the Legislature which should provide this sort of information to livestock producers across the state in the near future. LWVMN has a representative on that citizen committee.

We also oppose SF 2071 which provides \$1 million for the biennium for cost-share for feedlot EISs (up to 75% of contract cost). According to the Environmental Quality Board, EISs are mandatory for projects whose nature, size or location makes it inevitable that there is the potential for significant environmental effects. The applicant, by Minnesota rule, is required to pay for it.

Given that many other large businesses such as airports, hazardous waste facilities, sewage and solid waste systems, mining operations, nuclear fuel plants, paper mills and petroleum refiners may be subject to EISs, we question the fairness of singling out one type of business for subsidy.

Sincerely,

Kay Erickson
Legislative Action Chair



THE LEAGUE
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

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Sincerely,

A handwritten signature in cursive script that reads 'Kay Erickson'.

Kay Erickson
Legislative Action Chair

- In a time in which small scale dairy farms are disappearing, the Dairy Diagnostics program provides information that is critical to their preservation. Cut by 46%, due to a reallocation, \$350,000 over two years.

We, the undersigned support continued adequate funding for the programs mentioned above at increased or existing levels for FY 2001. Organic and sustainable agriculture create a critical and positive path to a sustainable future.

Sincerely,

Diane Jensen, Director The Minnesota Project	Jan O'Donnell, Director The Minnesota Food Association	Toby Pearson, Director MN Catholic Conference
George Boody, Director The Land Stewardship Project	Marie Zellar, Director Clean Water Action Alliance of Minnesota	Dale Hennen, Director Archdiocesan Rural Life Office
Don Pylkkanen, Director ,MN COACT	Kathleen Storms, SSND Co- Chair, Center for Earth Spirituality & Rural Ministry	Mary Tacheny, SSND Chair, Minnesota Institute for Sustainable Agriculture
Peter Bachman, Director MN Center for Environmental Advocacy	DeEtta Bilek, Program Manager, Sustainable Farming Association	Pastor Mark Peters, Director, Lutheran Coalition for Public Policy in Minnesota
Jim Riddle, Owner Organic Independents	Bruce Johnson, Director Rivers Council of Minnesota	Suzanne Cristan, Director Organic Growers & Buyers Association
Tom Taylor, Director Organic Consumers Association	Mark Ritchie, President Institute for Agriculture and Trade Policy	Bill Grant, Director Izaak Walton League of America, Midwest Office
Dave Fredrickson, President, Minnesota Farmers Union	Ceci Shapland, Director Womens' Cancer Resource Center	Ron Moir, President People Against Chemical Excess

Donna Peterson, President,
Minnesota Lakes Association

Mary Doerr,
Women in Sustainable
Agriculture - MN

Edward Brown, Produce
Director, Co-op Partners
Warehouse, St. Paul

Dan Foley, General
Manager, The Wedge Food
C-op, Mpls

Katy Wortel, Director,
Makato Area
Environmentalists

Greg Schmidt, Vice
President,
MN Natural Health Legal
Reform Project

Joe Morse
Bluff Land Environment
Watch, Winona

Nancy Hone, Co-Founder,
MN Natural Health Coalition

Campaign for Rural Communities
2001 Statement of Concern

Minnesota's farm landscape is characterized by increasing industrialization and consolidation, with a disturbingly high rate of farm closures. There is a greater dependency on technology to raise profits, though poverty rates in rural communities continue to rise. Farmers rightly complain of low prices for their goods, yet we witness few price changes at the grocery store.

This situation is not the inevitable result of a free market system. Rather, it stems from public policies that stress short-term economic gain at the expense of other important factors. Such policy choices have been a detriment to environmental sustainability, independent and local control, and the vitality of rural communities.

The time has come to shape a new agricultural system that is based on a broad spectrum of values. To this end, the undersigned organizations

advocate four agricultural principles:

- * The right to food, which recognizes that food is a primary need of life and that everyone has a right to safe and accessible food;
- * The protection of creation, which calls us to be stewards of the environment, using land and water with respect and care;
- * The support of rural communities, which stems from the belief that agriculture, like all social institutions, must contribute to the common good of society;
- * The respect for justice, which states that agriculture should provide an opportunity to make a reasonable living. This allows farmers and farm workers to provide for themselves and their families, as well as participate in the building of their local community.

To advance these principles, we support legislative proposals that:

- * Provide full funding for Farm Wrap, Farm Advocates, and other farmer assistance programs;
- * Extend or eliminate the sunset on Farmer-Lender Mediation programs;
- * Require labeling of genetically modified foods and irradiated foods;
- * Give farmers and farm workers a fair price for their labor
- * Restore cuts or increase funding for organic and sustainable agriculture research, demonstration, cost share, and education programs;
- * Establish an agribusiness investigative unit in the Office of the Attorney General.

We oppose legislative proposals that:

- * Expand nuisance liability protection to farming operations over 1000 animal units;
- * Transfer dairy oversight or feedlot regulation authority from the Minnesota Pollution Control Agency to the Department of Agriculture;
- * Relax animal feedlot permit conditions and the environmental review process for farming operations over 1000 animal units.

(over)

Clean Water Action Alliance

Institute for Agriculture and Trade Policy

Izaak Walton League, Midwest Office

Joint Religious Legislative Coalition

Land Stewardship Project

Lutheran Coalition for Public Policy in Minnesota

Minnesota Catholic Conference

Minnesota COACT

Minnesota Farmers Union

Minnesota Dairy Producers Board

New Ag America

Rural Life Office, Archdiocese of St. Paul and Minneapolis

*The above organizations are members of the
Campaign for Rural Communities and will
be invited to sign on to the statement.*

April 3, 2001

Dear Chair, Members of the Committee,

We write to express our significant concern regarding appropriation cuts within the State Department of Agriculture (MDA) budget, which will directly affect sustainable and organic farms in Minnesota.

Of the \$812,000 reduction in the MDA budget- \$370,000- 45% came from programs affecting sustainable and organic agriculture. We are asking that this amount be restored and enhanced. Additional programs effecting sustainable agriculture suffered cuts due to reallocations within the Department and should be restored.

Organic agriculture is one of the fastest growing sectors in the agriculture economy. Sustainable practices are being adopted by farmers throughout the state to create profitable farms that protect the environment. Cuts such as those proposed will impact farm families and rural economies, as well as the choices available to urban consumers. Ultimately, clean water, healthy soil and safe food is good for all Minnesotans. The programs listed below - all greatly reduced or zeroed out - are leading in this effort.

- Farmers hit with low commodity prices, and high input costs want assistance in transitioning to sustainable practices. They are depending on MDA and the U of MN, especially on the MISA Information Exchange, to provide this help. **MDA Sustainable Ag budget cut by 26% including a \$40,000 annual cut to MISA.**
- The Organic Cost Share Program is an important support for those obtaining organic certification. **MDA Organic Cost Share Program eliminated.**
- The public demand for the MDA's Greenbook has increased steadily since 1994. MDA has already sent out over 4000 copies to date this year and will continue to send them out until August. **Greenbook budget cut by 25%.**
- Demonstration grants that support alternative agriculture not only impact the farmers receiving the grants, but also those who learn from their efforts. **Cut by 47%, \$180,000 for the biennium.**

Re: [Fwd: urgent calls needed again!!!!]

Subject: Re: [Fwd: urgent calls needed again!!!!]

Date: Sat, 28 Apr 2001 02:07:42 -0600

From: "David Kamis" <dkamis@rconnect.com>

To: thepalmers@uswest.net

I watched some of the House floor action yesterday afternoon on Ch17--seeing is believing. Rep. Torrey Westrom argued for paying the Hancock Pro-Pork EIS, Rep. Ness also, saying farmer investors were caught in an MPCA flubup. LSP had the timetable which showed they knew the citizen lawsuit was going on and should have waited to build.

Dorman posed an amendment limiting funding on sustainable stuff. It was designed to prevent things like MISA having an LSP web link. Ted Winter defended LSP ("Are you saying LSP is not a sustainable group?"). Dorman was counterattacking and sneering--it was really shameful. Wagenius said it was so broad it bordered on violation of 1st amendment rights. Shows big ag is really angry about LSP's work with citizen groups fighting the big feedlots this past year.

Every good amendment failed. A milk pricing one (Milk Power) posed by Mary Ellen Otremba lost on a 66-66 vote! Steensma said one member had to leave for a funeral or we'd have won it. Lives of rural residents all across the state hang in the balance.

The Senate floor action on the ag omnibus earlier in the day was just as bad I heard. Not only did Tom Neuville not help on the EIS stuff, but Steensma said he tried an amendment to also pay legal fees for groups fighting EIS!

I am getting other LWV alerts but they are sent as attachments I can't open!
Stephanie H

>From: <thepalmers@uswest.net>
>To: dkamis@rconnect.com
>Subject: [Fwd: urgent calls needed again!!!!]
>Date: Tue, Apr 24, 2001, 2:39 PM
>

>Stephanie: This is the outfit which will now receive some
>\$40,000 plus which was likely to go to the GEIS citizen
>advisory committee to spend on further animal ag research.
>A decision by the EQB. Helen
>

*agric
sustainability
EIS*