SRAP
Socially Responsible Agriculture Project

Guide to Confronting Concentrated Animal Feeding Operations in

IOWA

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A PROJECT BY SOCIALLY RESPONSIBLE AGRICULTURE PROJECT WITH THE ASSISTANCE OF MIDWEST ENVIRONMENTAL ADVOCATES, INC.[1] AND JEFFERSON COUNTY FARMER'S & NEIGHBORS, INC.[2]

For more than 20 years, Socially Responsible Agriculture Project (SRAP) has served as a mobilizing force to help communities protect themselves from the damages caused by industrial livestock operations and to advocate for a food system built on regenerative practices, justice, democracy, and resilience. Our team includes technical experts, independent family farmers, and rural residents who have faced the threats of factory farms in their communities. When asked for help, SRAP offers free support, providing communities with the knowledge and skills to protect their right to clean water, air, and soil and to a healthy, just, and vibrant future. For more information, visit www.sraproject.org.

SRAP HELP HOTLINE

Facing a factory farm? Contact SRAP for support.

www.sraproject.org/help

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1 Midwest Environmental Advocates is a nonprofit environmental law center that works for healthy water, air, land, and government for this generation and the next. For more information, visit midwestadvocates.org.

2 Sections of this guide were written by Jefferson County Farmer's & Neighbors, Inc. (JFAN). For more information, visit www.jfaniowa.org.

CAFO Guide Overview

This guide outlines CAFO laws, regulatory processes, and useful resources for advocates. Below is an overview of actions communities can take if a CAFO is being built, expanding, or violating regulations.

EDUCATE YOURSELF

Learn how CAFOs harm communities at sraproject.org. Use this guide to find state agencies that regulate CAFOs; state permitting requirements for zoning, construction, etc.; and public open meetings and records laws. Use SRAP's Federal Guide to learn relevant federal laws like the Clean Water Act, Clean Air Act, and Endangered Species Act.

LOOK FOR PUBLIC NOTICES

Look for public notices of CAFOs in newspapers, state agency websites, and at government buildings. The window for public participation is often brief. Find rules and deadlines for public comment, hearing requests, and appeals. Respond before deadlines.

REQUEST AND REVIEW PUBLIC RECORDS

Search for public records related to the CAFO; if necessary, make a public records request.

NEW OR EXPANDING CAFOS

REVIEW ZONING ORDINANCES

Review municipal or county codes and zoning ordinances to determine if any requirements must be met at the local level.

REVIEW PERMIT APPLICATIONS

Determine if any local, state, or federal permit applications are required; review application materials to make sure all requirements are met.

COLLECT DATA

Test water before the CAFO siting or expansion to establish a baseline. This may show that new pollution came from the CAFO.

EXISTING CAFOS

REVIEW CAFO DOCUMENTS

Review permits, applications, manure management plans, nutrient management plans, monitoring reports, etc. Familiarize yourself with permit and plan provisions so you can spot violations.

COLLECT DATA

Conduct well, soil, water, and/or air testing to establish a connection between the facility and harmful pollution. Keep a log of odor and other impacts.

MONITOR CAFOS AND BUILD A RECORD

Submit complaints to regulators if you observe violations. Take photos and keep a log. Don't trespass!

FOLLOW UP ON AGENCY RESPONSE TO COMPLAINTS

Did the agency take action? If a state agency isn't complying with state or federal environmental laws, contact your U.S. EPA Regional Office.

ORGANIZE A COMMUNITY GROUP

Organize your group and develop a public presence. Consider forming a nonprofit if you plan long-term advocacy.

SEEK LEGAL ADVICE

Consider contacting law firms or pro-bono clinics for help with legal matters related to CAFOs.

IDENTIFY IMPAIRED WATER BODIES

Determine if impaired waters may be impacted by discharge from the existing or proposed CAFO.

CONTACT STATE OR LOCAL HEALTH DEPARTMENT

The Health Department may monitor or oppose the CAFO due to public health impacts.

CHECK FOR PUBLIC FINANCING

If the CAFO received government-backed loans, see if an Environmental Assessment was conducted.

TRACK PUBLIC NOTICES

CAFO permits come up for renewal, so look for public notices and comment opportunities.

REVIEW STATE RIGHT-TO-FARM LAW

Find exceptions to the law's nuisance liability shield (e.g., compliance with laws and permits is often a prerequisite to nuisance claim protection).

AGENCIES & STATE DEFINITIONS

Familiarize yourself with your state's livestock operation definitions, and with the agencies that regulate the industry. (Definitions and relevant agencies vary by state.)

SEEK PROPERTY TAX ADJUSTMENT

Neighbors may be able to reduce their property taxes due to CAFOs' negative impact on property values.

ENGAGE IN RULEMAKING PROCESSES

Attend regulatory meetings and share your concerns. If your state allows it, develop local ordinances to protect communities.

First Step—Learn as Much as You Can

If you're new to the factory farming issue, start by educating yourself and others. We'll start with a brief introduction and provide additional resources at the end of this section.

What is a CAFO? The EPA Definition

CAFO stands for concentrated animal feeding operation. The US Environmental Protection Agency (EPA) defines an animal feeding operation (AFO) as follows:

Animal Feeding Operations (AFOs) are agricultural operations where animals are kept and raised in confined situations. AFOs congregate animals, feed, manure and urine, dead animals, and production operations on a small land area. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland. [3]

Your operation is an AFO if:

- You confine animals for at least 45 days in a 12-month period, and
- There's no grass or other vegetation in the confinement area during the normal growing season.

Concentrated Animal Feeding Operations (CAFOs) are AFOs that meet certain EPA criteria.

Your operation is a CAFO if:

- It meets the definition of an AFO, and
- The operation meets one of the Regulatory Definitions of Large CAFOs, Medium CAFOs, and Small CAFOs.

In essence, a CAFO is an AFO that concentrates a particular number of livestock either in a confinement building or feedlot. EPA differentiates confinement operations into large, medium, and small CAFOs depending on the number and type of animals kept and whether the operation discharges waste. The next page taken from the EPA website provides the thresholds for what constitutes each size of confinement.

[3] AFOs, U.S. Environmental Protection Agency, www.epa.gov/npdes/animal-feeding-operations-afos.

REGULATORY DEFINITIONS OF LARGE CAFOS, MEDIUM CAFO, AND SMALL CAFOS

A **Large CAFO** confines at least the number of animals described in the table below.

A **Medium CAFO** falls within the size range in the table below and either:

- has a manmade ditch or pipe that carries manure or wastewater to surface water; or
- the animals come into contact with surface water that passes through the area where they're confined.

If an operation is found to be a significant contributor of pollutants, the permitting authority may designate a medium-sized facility as a CAFO.

A **Small CAFO** confines fewer than the number of animals listed in the table and has been designated as a CAFO by the permitting authority as a significant contributor of pollutants.

Animal Sector	Size Thresholds (number of animals)		
	Large CAFOs	Medium CAFOs[1]	Small CAFOs[2]
cattle or cow/calf pairs	1,000 or more	300–999	less than 300
mature dairy cattle	700 or more	200–699	less than 200
veal calves	1,000 or more	300–999	less than 300
swine (weighing over 55 pounds)	2,500 or more	750–2,499	less than 750
swine (weighing less than 55 pounds)	10,000 or more	3,000–9,999	less than 3,000
horses	500 or more	150–499	less than 150
sheep or lambs	10,000 or more	3,000–9,999	less than 3,000
turkeys	55,000 or more	16,500–54,999	less than 16,500
laying hens or broilers (liquid manure handling systems)	30,000 or more	9,000–29,999	less than 9,000
chickens other than laying hens (other than a liquid manure handling systems)	125,000 or more	37,500–124,999	less than 37,500
laying hens (other than a liquid manure handling systems)	82,000 or more	25,000–81,999	less than 25,000
ducks (other than a liquid manure handling systems)	30,000 or more	10,000–29,999	less than 10,000
ducks (liquid manure handling systems)	5,000 or more	1,500–4,999	less than 1,500

[1] Must also meet one of two "method of discharge" criteria to be defined as a CAFO or may be designated.
[2] Never a CAFO by regulatory definition, but may be designated as a CAFO on a case-by-case basis.

In reality, a CAFO is an enclosed livestock factory in which hundreds, thousands, or even millions of animals are housed in large confinement buildings or feedlots. The animals, predominantly hogs in Iowa, have little room to move and no access to pasture.

In confinements, hogs eat and excrete where they live, and their waste falls through slatted concrete floor into vast concrete containment pits beneath the building. These waste pits can store from hundreds of thousands to millions of gallons of liquid manure for months at a time. Other CAFOs may store manure in open-air lagoons where the manure is collected in shallow pits and periodically pumped into outdoor lagoons. Both methods of waste storage—indoor or outdoor pits—result in feces putrefying and emitting over 300 gases and airborne particulates, including ammonia and hydrogen sulfide gases. In addition to the odors and emission, both methods of waste storage can experience spills, leaks, malfunctions, and seepage that causes environmental degradation. Once or twice a year, the manure is typically pumped out of the pits or lagoons and spread on agricultural fields as a nitrogen-rich fertilizer. Some of the fields can be miles away. The odor from the spreading process can be unpleasant, and hazardous to public health.

It's important to understand that these livestock facilities are NOT farms in the traditional sense. They're industrial operations, often exempted from many environmental and health regulations to which other industries must adhere.

Understanding CAFO Numbers—Animal Units vs. Head Counts of Livestock

When giving a count on livestock, DNR will indicate the number of animals either as a number of head or a number of animal units. There's a difference. The number of head of animals is the specific number of animals (e.g., a 2,480-head swine operation means 2,480 hogs are packed into a CAFO at any one time). An animal unit is a measure given to livestock based on their size, feeding requirements, and manure output. The table below lists the animal units assigned to each animal.

Animal	Animal unit per individual animal	Number by which to multiply an animal unit figure to get the actual number of animals in a confinement
Slaughter or feeder cattle	1	1
Immature dairy cattle	1	1
Mature Dairy Cattle	1.4	0.71
Swine over 55 lbs. (wean to finish)	0.4	2.5
Swine 15-55 lbs.	0.1	10
Sheep and lambs	0.1	10
Horses	2	0.5
Turkeys 7 lbs. or more	0.018	55.6
Turkeys less than 7 lbs.	0.0085	118
Broiler or layer chickens 3lbs or more	0.01	100
Broiler or layer chickens less than 3 lbs.	0.0025	400

When the facility size is described in animal units, you can calculate the number of animals as follows: Take the number of animal units (e.g., 992 wean to finish swine) and multiply by the corresponding number in the right column (2.5 for wean to finish swine) to get your answer (2,480 hogs).

Environmental Impacts

Livestock produce up to 23 times as much raw excrement as humans. Raw human sewage by law must be treated by municipal systems, but there's no legal requirement to treat raw animal sewage.[4]

In communities with CAFOs, water quality can deteriorate as streams, creeks, and ponds become contaminated with increased levels of nitrogen, phosphorus, microbes, ammonia, and antibiotics from the liquid manure.[5]

[4] Risk Assessment Evaluation for Concentrated Animal Feeding Operations, http://nepis.epa.gov/Adobe/PDF/901V0100.pdf

[5] Impacts of Waste from Feeding Operation on Water Quality, http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1817674/

Lagoon leaks and manure misapplied on fields may pollute streams and wells of nearby residences. Agricultural runoff from spreading manure can wind up in local waterways. All too common manure spills can dump a high volume of toxins into waterways and cause serious water pollution and fish kills, making streams, ponds, and lakes unsuitable for recreational use. Many fields in Iowa contain old, uncapped wells. Manure injected into the ground near these wells can also contaminate ground water.

Local Economic Impacts

Property owners may see the value of their homes and property decrease as much as 40% when CAFOs move into an area. Those who want to leave are often unable to find a buyer.[6]

Every factory farm that opens can force an average of 10 family farms out of business.[7] County economies can weaken as people move away, local businesses can lose vitality, and sales and property taxes can plummet.

In addition, the physical infrastructure of communities often declines as livestock-laden tractor-trailers drive over roads not built to accommodate their heavy weight and frequent trips. Repairs, which come out of county funds, can put an increased burden on local taxpayers, driving up taxes and reducing local services as communities struggle to pay for the extra maintenance.[8]

Quality of Life Impacts

One's quality of life may be severely impacted if a CAFO moves nearby. Many neighbors of CAFOs report that they become prisoners in their homes, unable to open windows, or enjoy their yards, gardens, and outdoor activities because of the nauseating odors emanating from the facilities. Fly infestations can be overwhelming. Quiet rural areas can be disrupted by increased traffic from large trucks transporting livestock. Ask residents in any county heavily populated with CAFOs. You'll get an earful.

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[6] The CAFO: Implications for Rural Economies in the US. Dr. William J. Weida. The Global Resource Action Center for the Environment. (February 24, 2004); Dooho Park. Rural Communities and Animal Feeding Operations, Department of Agricultural and Resource Economics, Colorado State University, Ft. Collins, CO, 1998.

[7] Factsheet: Farming and Trade Policy – What's the Impact on Family Farmers? www.grassrootsonline.org/sites/default/files/Factsheet4-Small-Farmers-and-Farmworkers.pdf

[8] Excessive Truck Weight: An Expensive Burden We Can No Longer Afford. U.S. Government Accountability Office study. http://archive.gao.gov/f0302/109884.pdf

Develop a Paper or Online Petition

Develop a paper or online petition, depending on who you wish to reach, listing the reasons you're opposed to the facility. The petition itself likely won't stop a CAFO, but it shows facility owners and local/state government officials that this is a community problem, not an individual complaint. It's also a good way to collect names and addresses of people interested in the issue. Never throw away your petitions, no matter how much time passes. They can be used at a news conference or in testimony to help pass a local resolution against a CAFO.

Restrict signers to those 18 years of age and older who live within the county/municipality to give the petition more credibility. Ask for volunteers to go to your local shopping area, Main Street, or other high traffic areas to get signatures. If you know storeowners sympathetic to your cause, ask if you can leave petitions in their store. Don't forget to pick them up!

An online petition can collect names quickly and be shared via social media. The upside is that you may collect more names than with a paper petition. The downside is that you may collect names of those not in the area, eroding some credibility. Decide which type of petition best supports your purposes.

You can set up online petitions with organizations such as Change.org, MoveOn, and Credo. Some people are reluctant to sign such petitions because they don't want to be bombarded with emails about other causes. But more importantly, none of these organizations release email addresses, which can build your email list.

You can also use Google Forms to create petitions. This allows you to design the language you'd like and Google creates a spreadsheet that you can download with all the information you request in the petition. Start the process with Google Forms here: https://www.google.com/forms/about/

CASE STUDY: In just two weeks, JFAN collected over 2,200 signatures supporting a CAFO moratorium and presented it to the governor, former DNR director, state legislators, county supervisors, and the city council.

Contact Other CAFO-Fighting Organizations

It can be helpful to contact other community groups in Iowa that are fighting CAFOs to learn what works and bounce ideas off them. Coalitions of groups fighting CAFOs in Iowa are forming. Become part of one to help reduce CAFO activity in the state.

Working with DNR

You must take action to stop a CAFO as soon as you learn one is proposed. DNR has up to 30 days to approve a Manure Management Plan for a confinement up to 500 animal units. For confinements of 1,000 animal units or larger, they have up to 60 days to approve a Construction Permit, Manure Management Plan, and (in counties that adopt it) the Master Matrix. Note that animal units are not the same as the actual number of animals at a facility. Stay on top of these applications—they're often approved before the deadline.

Since DNR will review and approve all applications, it helps to have an overview of the agency.

Iowa Department of Natural Resources Mission Statement: "To conserve and enhance our natural resources in cooperation with individuals and organizations to improve the quality of life for Iowans and ensure a legacy for future generations."

DNR approves and regulates CAFOs and open feedlots in Iowa. It's empowered by the State Legislature to carry out and enforce all factory farming laws enacted by the State Legislature and governor.

Note: DNR can only carry out laws passed by the state legislature and signed into law by the governor.

Many people get frustrated with DNR because they feel the laws they enforce don't adequately protect people and the environment. But DNR's authority is limited to carrying out a set of confusing and sometimes contradictory laws passed by the state—they don't make the laws.

However, DNR is responsible for writing the rules that describe how the laws will be enacted. DNR leadership is made up of gubernatorial appointees who influence how the rules are written and enforced. Therefore, DNR is heavily influenced by the political process.

Many good, responsible people work at DNR, but they're often caught in the politics themselves. It's better to save your frustration for the leaders at the helm than for most of the AFO field officers and other employees of this underfunded and

understaffed agency.

Note that DNR puts responsibility for compliance on the CAFO owner/operator. In essence, they leave it up to the owner to follow the rules. DNR will investigate reports of violations, but their ability to conduct inspections and play a more involved role in enforcement is extremely limited.

A Reference for Iowa Laws on Animal Feeding Operations

- **Chapter 65 of the Iowa Code on Animal Feeding Operations** is very useful. It contains all current CAFO and feedlot laws and regulations and is updated periodically.[9]
- **Chapter 64 of the Iowa Code on Wastewater Construction and Operation Permits** includes laws addressing storm water permits.[10]

Your Local DNR Field Office

The main DNR office is located in Des Moines, but there are six field offices throughout the state that review, approve and file Manure Management Plans and permits, and investigate violations. Each field office is responsible for approximately 15 counties.

Your DNR field office will have records on all CAFOs located in their jurisdiction. Upon request, they will make copies of applications and violations for $0.25 per page. It's often more efficient to contact your field office for records than to go through a formal Freedom of Information Act (FOIA) request.

Counties Served by DNR Field Offices

Field Office #1—Manchester (Northeast)
Allamakee, Black Hawk, Bremer, Benton, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, Jackson, Jones, Linn, Winneshiek

Field Office #2—Mason City (North Central)
Butler, Cerro Gordo, Floyd, Franklin, Grundy, Hamilton, Hancock, Hardin, Humboldt, Kossuth, Mitchell, Webster, Winnebago, Worth, Wright

Field Office #3—Spencer (Northwest)
Buena Vista, Calhoun, Cherokee, Clay, Dickinson, Emmet, Ida, Lyon, O'Brien, Osceola,

[9] https://www.legis.iowa.gov/docs/ACO/chapter/567.65.pdf
[10] https://www.legis.iowa.gov/DOCS/ACO/GNAC/iacpdf(9-4-02)/iac/567iac/56764/56764.pdf

Palo Alto, Plymouth, Pocahontas, Sac, Sioux, and Woodbury

Field Office #4—Atlantic (Southwest)
Adair, Adams, Audubon, Carroll, Crawford, Cass, Fremont, Greene, Guthrie, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union

Field Office #5—Des Moines (South Central)
Appanoose, Boone, Clarke, Dallas, Decatur, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne

Field Office #6—Washington (Southeast)
Cedar, Clinton, Davis, Des Moines, Henry, Iowa, Jefferson, Johnson, Keokuk, Lee, Louisa, Muscatine, Scott, Wapello, Washington, Van Buren

Environmental Protection Commission

The Environmental Protection Commission (EPC) is a board of nine citizens who provide policy oversight to DNR. The Governor appoints them for a four-year term. Their responsibilities include rulemaking as well as hearing appeals on CAFO applications. The panel tends to be quite political in nature.

Using the DNR Website—Useful Tools

DNR AFO Database

DNR keeps a database[11] of all active CAFOs and open feedlots in Iowa. The database tracks activity for a CAFO from the day an application was submitted. You can keep an eye on the approval process and any violations using this database. Note that the database only tracks CAFOs 500 animal units or larger, as applications aren't required for facilities under 500 animal units.

How to Use the AFO Database

Search for your site in one of three ways:

1. **Facility ID:** This number is located in one of two places:
   - Section 1, Question A of the Construction Design Statement (CDS)
   - Through DNR's Facility Explorer Website
2. **Facility Name** (must be exactly as it's submitted on the application)

[11] https://programs.iowadnr.gov/animalfeedingoperations/FacilitySearch.aspx?Page=0

3. **Owner Name**

You only need one of those identifiers to find a specific CAFO. Enter the info, then hit "Search."

You can also look up all the CAFOs in a particular area using the left side of the form. Choose whether you want all the CAFOs in a county, city, township, or any of the other options.

Note: Enter information on only one side; information on both sides will interfere with the search.

On the next page, under Results, you'll see identifying information about the CAFO. Click the red arrow to the left of the CAFO for more information.

A page will appear showing a summary of the type of livestock, number of head and animal units, and status of the Nutrient Management and Construction Reviews conducted by your field office. It also includes the CAFO's address and other location information.

Clicking this red arrow will take you to the following page that shows the application status.

Under Actions, you'll see the progress of the CAFO in question.

Iowa DNR Facility Explorer—Finding the Location of CAFOs in Your County

The DNR Facility Explorer[12] provides locational information on each CAFO as well as a complete list of all CAFOs in your county. When you first open the page, you'll have a listing of every CAFO in the state. The Facility Explorer also includes some confinements that are closed. To search for all CAFOs in your county, go to the "Filter By" option at the top of the page, select your county from the drop-down menu on the right, and click "Filter."

Next, you'll come to a page with all CAFOs in your county. Click on the number of the CAFO you want to review for more information about the operation.

Note: This is **not** the Facility ID number you will need when searching for a CAFO in the

[12] Facility Explorer, IOWA DEP'T OF NATURAL RESOURCES, https://facilityexplorer.iowadnr.gov/FacilityExplorer/SiteList.aspx?&&ProgramList=856&AndOr=or.

AFO database; you'll need to go to the next page to get that number.

You'll find useful information on this page:

1. CAFO address and owner
2. Latitude and Longitude—use this to plot the location of the CAFO on a map
3. Relative accuracy of location
4. Aerial map of facility location
5. Facility ID for AFO Database. The number located under Operation Type is the Facility ID number. Use this to bring up the CAFO in the AFO database.
6. Type of operation, number of animal units, and species type
7. Date Manure Management Plan was received
8. Any enforcement action taken. If so, links can take you directly to the Field Office Compliance Summary and/or the EPA Enforcement and Compliance History Online (ECHO).
9. Whether the CAFO is open or closed

Note: If the page doesn't list if the CAFO is open or closed, check the AFO database to see if it's listed. If not, it may mean the CAFO has downsized and is no longer required to submit a yearly Manure Management Plan update.

Searching DNR Databases for Violations

DNR has two websites you can search to see if a CAFO owner has received complaints or violations against other confinements they own:

DNR Field Office Compliance Database

This database you to search for complaints and violations as well as inspections of CAFOs. The website is used by DNR staff to enter information, and the public has access to limited sections.[13] You can't find all written documentation with detailed information on the complaint, but you'll get a general picture. You'll have to visit the local field office to get complete information.

To get started, click "Site Search," then hover your cursor over the "Search" box to select one of the following search terms:

- Site

[13] Field Office Compliance, IOWA DEP'T OF NATURAL RESOURCES, https://programs.iowadnr.gov/focomp/

- Complaints
- Inspections
- Incoming Reports
- Staff Action
- Deficiency Letters
- Deficiencies
- Suspense Dates
- Emergency Response

The next screen has several drop-down boxes. Select from the following:

- Field Office
- Program Type
- Staff Action Type
- Associated Actions
- Site Name

Then click "Search." You can try different combinations to get the widest range of information. The other boxes for information are for use by DNR personnel.

Note: You can search by site name, but you can't search by a CAFO owner's name. If you want to discover violations by a particular individual, you'd need to research all the CAFOs that person owns using the AFO Database, inputting the last name only to get the widest range of responses. Then do individual searches on each site name.

After making your selections, a results screen shows the name of the subject of the action, status, DNR field officer who was involved, and the type of action taken. Click the red arrow to investigate the action. The attached note gives a summary of action with the complaint number. DNR's field office will have more documentation and details in the file associated with the CAFO.

Administrative Consent Orders Database

DNR also maintains a database of Administrative Consent Orders and assessed fines.[14] Administrative Consent Orders are administered to violations that DNR deems serious enough to warrant a fine.

[14]DNR Enforcement Actions, IOWA DEP'T OF NATURAL RESOURCES, http://www.iowadnr.gov/InsideDNR/AboutDNR/EnforcementActions.aspx.

The website is not user friendly; it's set up to search by year rather than by the name of the violator, so you'll need to devote time to go through it.

Recent Administrative Orders that haven't yet been issued or recorded in the database will not be included on this list. To find out about those, contact Ed Tormey in DNR's legal department at 515-725-8373 or email: Ed.Tormey@dnr.iowa.gov.

On the next screen, find the name you're searching for and click the PDF icon for a copy of the Administrative Order (AO). The AO covers the entire violation including actions that precipitated the AO, DNR's investigation including interviews it conducted, actions taken by DNR, and the assessed violation.

Find additional documentation at the field office that conducted the investigation.

AFO Siting Atlas

DNR uses its AFO Siting Atlas to look at where the CAFO is in relation to waterways, alluvial and karst soils, wells, and other environmental factors.[15]

1. Enter the address, legal description (without spaces) or the coordinates (obtained from Facility Explorer) in the search bar at the bottom left. If you use the coordinates, enter them in the leftmost bar without spaces separated by a comma.
2. Under "Map Layers" in the lefthand bar, click what you'd like to view, e.g., wells, sinkholes, waterways, other CAFOs, etc.
3. Click "Legend" for the Siting Information to pop up on the right. This will list distances to what you clicked under Map Layers.

Note: distances will only be as accurate as the location of the CAFO that you have.

Other Useful Tools

Iowa Geographic Map Server

This Iowa State University Geographic Information Systems Support and Research Facility website compiles aerial photographs of Iowa going back several decades. Looking at the history of the land can help you find information that might prove the site inappropriate (e.g., if you suspect there's an uncapped well from an old farm at the CAFO site, you can use this tool to investigate.

[15] AFO Siting, IOWA DEP'T OF NATURAL RESOURCES, https://programs.iowadnr.gov/maps/afo/.

How to Use the Iowa Geographic Map Server (GISU)

Website: http://ortho.gis.iastate.edu/search.html

To locate the area of a CAFO, enter the Township, Range, and Section of the confinement. (Find this information on the CAFO application or in the AFO Database.) Then click Show Map, which reveals a page with an aerial view of the entire section.

Zoom closer using the "Select a zoom level" menu to the left of the photo and clicking "Refresh Map" at the bottom of the column. The smaller the number of pixels, the closer you'll zoom in. You can also go to the Menu that says "Click on the map to," select Zoom IN, and click "Refresh Map."

The hand figures around the picture allow you to move the image in the direction the hand points. You'll need to do that to locate the specific area once you've zoomed in.

"Select an Overlay map service" gives several options for viewing the map. For example, selecting "Transportation, Highways and Roads" will identify those on your map. Clicking "Rivers, Streams and Lakes" will name larger waterways.

To search for older aerial maps, use the menu, "Select a Base Layer Map," scroll to the desired time period, and click "Refresh Map" at the bottom of that column. Many maps go back to the 1930s. There are even options for topographic and other maps.

To download an image of your map, go to the Download menu and click JPEG Base File, which brings up the image in a separate page of your browser. To download the image, right click it, select "Save Image As," and direct it to your document file.

Using Google Earth

Another way to look at the land where a CAFO is to be sited is through Google Earth, which uses satellite photography to get clear, precise photographs.

To use Google Earth, download the application at: earth.google.com. Once installed, you can search for a CAFO. The easiest way to locate the site is through the latitude and longitude coordinates obtained from the Iowa Facility Explorer.

Google Earth will bring you to your location, marking it with a temporary pin and your coordinates. Using your mouse, you can zoom in quite close. Google Earth can help you determine distances between CAFOs and waterways. To measure between two

points, click the ruler tool, place your cursor on the first point, then drag it to the second point and release. You can then save the line measure in your file.

One advantage Google Earth has over the GISU website is the higher image clarity and ease of navigating on the map. To move around the area, left click and hold your mouse to easily navigate. The higher image clarity allows you to better view waterways that could be affected by the CAFO. A disadvantage is that the historical mapping only goes back to 1990; if you need to look at maps before then, use the GISU website.

This webpage has useful information on using Google Earth.[16]

How to File a Complaint with Iowa DNR

If you suspect a violation of CAFO regulations, you have the right to file a complaint with Iowa DNR.

Suspected violations include manure running off a field into a stream, ditch, or roadway; manure being applied on frozen or snow-covered ground during prohibited times; or suspicion of CAFO construction before a stormwater or construction permit is issued; etc..

When a complaint is suspected, there are several things you can do:

1. If you witness what you believe may be a violation, take a time-stamped photograph from a public right of way (e.g., a photo of frothing water and dead fish may serve as evidence of possible manure contamination). **Do not trespass on private land to get photos.**
2. Note of as many details as possible: what, where, when, and who may be involved.
3. Call your DNR field office to report the possible violation as soon as possible. Field offices are typically understaffed, and it may take time to send a field officer to investigate. The sooner you call in your complaint, the better. This is especially true when manure may be present in waters for a brief period of time.
4. The Washington Field Office can be reached at **319-653-2135** from 8:30 am–4:30 pm Monday through Friday.
5. Provide as much detail as possible.

[16] http://www.google.com/earth/outreach/tutorials/annotate.html#saveproject

6. You can give your name or make an anonymous complaint. Since DNR is short staffed, there's a greater chance that your complaint will be investigated if you give your is a name. However, the complaint will be entered into the Field Office Compliance database with your name—if you're concerned about being publicly associated with your complaint, you may wish to file it anonymously.
7. Follow up your oral complaint with a written email or letter detailing your concerns. Keep a copy of your correspondence. Following up this way helps to keep DNR's attention on the complaint.
8. An investigation may entail a visit to the site of the alleged violation. If manure runoff into a water body is witnessed or suspected, water samples may be taken and sent to the State Hygienic Lab at the University of Iowa.
9. After about a week, call the field office and follow up on the investigation to ask about the result. If an investigation is pending, additional time may be needed before you hear the results. If it hasn't been conducted yet, your follow-up may give the complaint more priority. If water samples were analyzed, you can request a copy of the State Hygienic Lab's analysis.

DNR has a 24-hour emergency response line for environmental spills at **515-725-8694**. The number is primarily for CAFO owners to report spills within six hours of an incident.

However, if you notice a manure spill on a road that might impact public safety, contact this number after DNR hours as well as local law enforcement asap, then report your complaint to the field office.

Not all complaints result in violations and not all violations result in administrative orders or fines. DNR has a policy of "coaching for compliance" and often opts to educate CAFO owners on how to avoid such problems in the future.

Iowa Water Testing Program

Iowa conducts ambient water quality monitoring and assessment of surface and groundwater resources. The program takes several "snapshots" of a water body over time to determine its condition.

Every two years, under the provisions of the Clean Water Act, DNR is required to report a list of impaired waters to the U.S. EPA. The 303(d) Impaired Waters List includes Category 5 waterways that need a TMDL (total maximum daily load) cleanup plan and Category 4 bodies that are impaired but that either don't need a TMDL or one has been completed.

DNR posts that list along with more water impairment information on its website.[17]

DNR used to have an active volunteer water testing program (IOWATER) that was disbanded in 2016 due to lack of funding. A replacement volunteer water testing program connects local volunteers and advocates working with watershed projects and conservation groups in their area.

DNR REVIEW PROCESS

The DNR review process depends on the size of the CAFO and whether or not a county has adopted the Master Matrix. Here's what you can expect for each size of CAFO:

Under 500 Animal Units

Applications Required:

- NPDES Storm Water General Permit #2 only if over one acre of land is disturbed
- Nothing else.

Review Process:

There's neither a CAFO application nor a Manure Management Plan to review. You often won't know a small CAFO or SAFO is being built until you see construction.

If over one acre is disturbed, an application for a storm water permit must be submitted to the Des Moines Storm Water office. Usually smaller CAFOs don't disturb an acre of land, but if they do, you can get tipped off to a new CAFO by searching the storm water permit database. Find more information on storm water permits below.

[17] https://www.iowadnr.gov/Environmental-Protection/Water-Quality/Water-Monitoring/Impaired-Waters

500–999 Animal Units

Applications Required:

- NPDES Storm Water General Permit #2 only if over one acre of land is disturbed
- Construction Design Statement (CDS)
- Manure Management Plan (MMP)
- Results of alluvial soils information or copy of the department's declaratory order that the location is not within a 100-year flood plain
- Results of karst terrain determination
- Water Withdrawal Permit (if drawing over 25,000 gallons/day)
- Documentation that the county board of supervisors or auditor's office where the CAFO will be located received a copy of the Manure Management Plan
- Filing fee.

Review Process:

The local DNR field office reviews the Construction Design Statement and Manure Management Plan to make sure the applications are filled out properly and the math looks right on the MMP. They also check the paperwork to make sure the CAFO isn't sited in alluvial soils or on karst terrain. That's it. There's neither an onsite review nor in-depth analysis of the application. Remember, DNR puts the onus on the CAFO owner to do the right thing.

DNR has 30 days to review and sign off on the CDS and MMP. Construction typically is allowed 30 days after an MMP and CDS is submitted, but the CAFO owner must wait to receive a DNR letter of approval that includes the date construction may legally begin.

The CAFO owner has a year to build the CAFO from the date of the construction approval letter, otherwise the approval expires.

1,000+ Animal Units

Applications Required:

- NPDES Storm Water General Permit #2 only if over one acre of land is disturbed
- Construction Design Statement (CDS)
- Manure Management Plan (MMP)

- Construction Permit Application
- Results of alluvial soils information or copy of the department's declaratory order that the location is not within a 100-year flood plain
- Results of karst terrain determination Water Withdrawal Permit
- Master Matrix (in counties that have adopted the Master Matrix)
- Water Withdrawal Permit (if drawing over 25,000 gallons/day)
- Documentation that the county board of supervisors or auditor's office where the CAFO will be located received a copy of the Manure Management Plan
- Filing fee.

Review Process:

The environmental engineer in either the Spencer or Mason City field office will review the Construction Permit application.

Within 14 days of receiving notice of a Construction Permit application, the county supervisors' office is required to post a public notice announcing the CAFO and that public comments are being accepted. The comments must be submitted to the supervisors or DNR by the end of the first 30 days. Often, supervisors will hold a public hearing to collect comments, but it isn't required.

The local DNR office will review the Manure Management Plan, and will send an AFO field officer to the site to conduct an inspection, including a measurements check. The local office then provides an inspection report to the environmental engineer.

The environmental engineers review written comments received and make the final approval/denial of the application. DNR has up to 60 days to complete the whole process.

When a Master Matrix Is Involved

If a Master Matrix is involved, Supervisors will evaluate and score the Matrix by the end of the first 30 days and submit either a passing or failing score. Based on their scoring, the supervisors can only recommend that DNR either pass or fail the application. The final decision rests solely with DNR.

If the supervisors find the Master Matrix achieves the minimum passing score, they're required to pass it, even if there's public opposition and good reasons not to build the CAFO. In that case, DNR will not look at the Master Matrix. (The public, however, can still bring other important factors to DNR's attention.)

If the supervisors fail the Master Matrix, the DNR engineer will evaluate the application and any written comments and make their own decision. There have been times when DNR disagreed with the supervisors and approved a facility against their wishes. So it's good to stay in touch with them to see if additional information could be supplied to tip the decision in your favor.

If DNR approves a CAFO that the supervisors and community feel is unacceptable, the supervisors can appeal to the Environmental Protection Commission.

It's possible for DNR to deny a CAFO application even if a Master Matrix passes if there are other environmental considerations that don't meet state regulations.

Note: If DNR requires more information and the CAFO owner needs more time to obtain it, the owner can request a 30-day extension. In fact, the owner can request unlimited extensions as long as they're warranted. However, DNR can only request one extension.

Storm Water Permits

DNR requires that all CAFOs that disturb more than one acre of land during construction obtain a General Permit #2 storm water permit. Before the permit application can be submitted, a Storm Water Pollution Prevention Plan (SWPPP) must be developed. The SWPPP outlines how soil will be moved and contained at the construction site and includes measures taken to prevent any sediment from reaching waterways. The best management practices used can vary from site to site.

Since the SWPPP is a living document with ongoing modifications, DNR doesn't require a CAFO operator to submit the SWPPP with the permit application. They just have to inform DNR that the SWPPP is completed. The SWPPP is kept onsite, and either the CAFO owner or the subcontractor responsible for the SWPPP conducts inspections. ***DNR doesn't provide direct oversight to make sure this step is done.***

DNR also lacks the capability to inspect most sites during the construction process to ensure the SWPPP is followed. DNR inspects where there are either (1) complaints or (2) if the construction site is very large, such as a fertilizer plant.

Although not available through DNR, SWPPPs may eventually be considered public documents. If neighbors have concerns about how soil will be managed and want to

see the SWPPP, they should contact DNR, which will ask the owner for a copy of the plan. It's not always easy to get a SWPPP from DNR; you may need to be assertive. Once the SWPPP is in DNR's hands, it's treated as a public document, and you can request a copy.

If the CAFO is in a county that has zoning, you may be able to obtain a copy of the SWPPP through your local zoning board. If a CAFO is in a city that holds an MS4 permit (municipal separate storm sewer systems), the city's inspector may have a copy of the SWPPP.

If you find problems with an SWPPP, address it with your local DNR field office.

The SWPPP remains in effect until at least 60% of the vegetative cover is in place and the construction site stabilized. The permit is closed once that's achieved. This could take approximately one year.

A database of all SWPPPs issued is available on DNR's website.[18]

How to Use the Storm Water Permit Database

Find the Storm Water Permits database at
https://programs.iowadnr.gov/stormwater/pages/advanced.aspx

You don't need to fill out the search page in detail. You can search by any field or even your county.

Tip: A county search is typically the easiest way to find the most recent storm water permits.

After your search, results will appear below the search fields, and will include both current and closed permits.

Click the red arrows on the left for more detailed information.

The menu at the top of the page provides the following information:

- **Facility:** provides the specific location of the CAFO.
- **Permit:** provides the project description and notes what waterway is being

[18] Online Storm Water Permit Database ,IOWA DEP'T OF NATURAL RESOURCES
http://www.iowadnr.gov/InsideDNR/RegulatoryWater/NPDESStormWater/OnlineStormWaterDatabase.aspx.

protected.

- **Affiliates**: lists all owners of the CAFO.
- **Activity Log**: includes a chronological review of all the steps taken from the first receipt of the permit to the date of issuance.
- **Payment History:** information on the fee.
- **Checklist:** lists all steps needed to complete the permit process. Those completed are ticked off.

Separation Distances

State law requires certain separation or setback distances for CAFOs and open feedlots depending on the number of animals confined, proximity to water or incorporated areas, date the confinement was built, and other factors.[19] The DNR website provides all minimum separation distances currently required by the state.[20] Double check the setbacks that may apply to an operation to verify that it's in compliance. Note: Residents who live less than the minimum separation distance to a CAFO may allow the confinement to be sited near their home by providing an exception, in writing, to DNR.

Below is a table of minimum distances for new or expanding operations, but be sure to check if your county or local government passed an ordinance with greater setback requirements.

[19] 567 Iowa Admin. Code §65.1 (2017).

[20] Minimum Separation Distances for Construction or Expansion of Confinement Feeding Operation Structures, IOWA DEP'T OF NATURAL RESOURCES, www.iowadnr.gov/portals/idnr/uploads/afo/fs_distreq_constrctn.pdf.

Minimum separation distances for a new confinement feeding operation or expansion of an operation constructed on or after March 1, 2003

Type of Structure (liquid, semi-liquid and dry manure storage)	Total Animal Unit Capacity (AUC) (AU)	Residences, Businesses, Churches, Schools		Public use areas
		Unincorporated Areas	Incorporated Areas	
Anaerobic lagoons and uncovered earthen manure storage basins	500 AU or less	1,875 feet	1,875 feet	1,875 feet
	501 AU to < 1,000 AU	1,875 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000 AU	2,500 feet	2,500 feet	2,500 feet
	3,000 AU or more	3,000 feet	3,000 feet	3,000 feet
Covered earthen manure storage basins	500 AU or less	1,250 feet	1,875 feet	1,875 feet
	501 AU to < 1,000 AU	1,250 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000 AU	1,875 feet	2,500 feet	2,500 feet
	3,000 AU or more	2,375 feet	3,000 feet	3,000 feet
Uncovered formed manure storage structures	500 AU or less	None	None	None
	501 AU to < 1,000 AU	1,500 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000 AU	2,000 feet	2,500 feet	2,500 feet
	3,000 AU or more	2,500 feet	3,000 feet	3,000 feet
Confinement buildings and covered formed manure storage structures	500 AU or less	None	None	None
	501 AU to < 1,000 AU	1,250 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000 AU	1,875 feet	2,500 feet	2,500 feet
	3,000 AU or more	2,375 feet	3,000 feet	3,000 feet
Egg washwater storage structures	500 AU or less	None	None	None
	501 AU to < 1,000 AU	1,000 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000 AU	1,500 feet	2,500 feet	2,500 feet
	3,000 AU or more	2,000 feet	3,000 feet	3,000 feet

Distances to Wells

Applies to all Animal Feeding Operations, regardless of the size of operation, including operations with 500 AU or less	Public well		Private well	
	Shallow	Deep	Shallow	Deep
Aerobic structure, anaerobic lagoon, earthen manure storage basin, egg washwater storage structure and open feedlot runoff control basin	1,000 feet	400 feet	400 feet	400 feet
Formed manure storage structure, confinement building, open feedlot solids settling facility and open feedlot.	200 feet	100 feet	200 feet	100 feet

Other Distances

Applies to all Confinement Feeding Operations, regardless of animal unit capacity, including operations with 500 AU or less, unless stated otherwise	
Major water sources, wellhead, cistern of an agricultural drainage well or known sinkhole (Excluding farm ponds, privately owned lakes or when a secondary containment barrier is provided)	1,000 feet
Water sources other than major water sources, surface intakes of an agricultural drainage well (Excluding farm ponds, privately owned lakes or when a secondary containment barrier is provided)	500 feet
Designated wetlands (owned and managed by the Federal government or the Iowa DNR)	2,500 feet
Right-of-way of a public thoroughfare (road, street or bridge) constructed or maintained by the state or a political subdivision (excluding operations with 500 AU or less)	100 feet

DNR Impaired Waterways List

In compliance with Section 303(d) of the federal Clean Water Act, DNR maintains a list of impaired waterways in Iowa that's updated and submitted for approval to EPA every two years. The impaired water list or 303(d) listing includes lakes, wetlands, streams, rivers, and portions of rivers that don't meet all state water quality standards. These waterways, considered "impaired water bodies," are required to calculate total maximum daily loads (TMDLs) for pollutants causing impairments.

An impaired waterway that makes the 303(d) listing requires a water quality improvement plan, also known as TMDL. Part of the plan includes a calculation for how much pollution can enter the waterway and still meet the state's water quality standards.

DNR's website lists five categories of water classification:

1. Category 1: All designated uses (e.g., for water contact recreation, aquatic life, and/or drinking water) are met.
2. Category 2: Some of the designated uses are met but insufficient information exists to determine whether the remaining uses are met.
3. Category 3: Insufficient information exists to determine whether any uses are met.
4. Category 4: The water body is impaired but a total maximum daily load (TMDL) is not required.
5. Category 5: The water body is impaired and a total maximum daily load (TMDL) is needed.

Note: The list of impaired waterways **only** includes Category 5 impairments.

Read more about DNR's Impaired Waters Listing and see the latest list.[21]

THE ROLE OF COUNTY SUPERVISORS

Due to prior legislative actions, local control is no longer available on the county level in Iowa. Therefore, county supervisors in 99 Iowa counties don't have much clout when it comes to siting CAFOs. However, they're not powerless—it's important to understand their role and to develop a good working relationship with them.

For confinements that are 1,000 animal units or larger, supervisors are required to post a public notice in the local newspaper asking for written public comments. Note: These notices can be tiny legal notices not easily seen by the general public. Request that your supervisors post something larger that's easier to notice.

Supervisors have the option to hold public hearings where the community can

[21] http://www.iowadnr.gov/Environmental-Protection/Water-Quality/Water-Monitoring/Impaired-Waters

submit comments that they will forward to DNR. Many counties provide this opportunity. Speak with your supervisors ahead of time to let them know that a public hearing is important to you should a CAFO be proposed at some point. In either case, the supervisors will collect comments until the date provided in the notice. This is generally a little less than 30 days.

By the end of January each year, your supervisors must decide if they want to adopt the Master Matrix for the upcoming year. This is an additional regulatory tool that each county has the option to use, which applies to new CAFOs of 1,000 or more animal units. While far from perfect, it provides increased protection for communities and the environment.

Ninety percent of Iowa counties opt to use the Master Matrix each year. Supervisors are responsible for reviewing and scoring the Master Matrix. Learn how to evaluate a Master Matrix so you can make practical contributions to the process. As part of this process, your supervisors should be encouraged to do a site visit either with DNR or on their own.

Supervisors can pass county resolutions. Since 2016, there has been growing grassroots support in Iowa for a factory farm moratorium, and to date, 25 county boards of supervisors have passed resolutions calling for a moratorium or a complete overhaul of the Master Matrix. While a resolution is a nonbinding document, it becomes part of a grassroots effort to drive legislative change at the state level. Depending on the makeup of your board of supervisors, you may be able to encourage them to pass a resolution and add their voice to this growing number of counties.

Develop a good working relationship with your supervisors so they understand that, as their constituents, your interests are important when it comes to evaluating CAFOs.

Working with County Supervisors

- It's important to know how people in your community feel about the CAFO issue. Attend county board meetings and listen to what people say during the comment period.
- Establish relationships with your supervisors outside of just your CAFO concerns. Have contact with your supervisors on a regular and personal basis, not just when there's a new CAFO threat. Attend weekly board meetings periodically to learn more about them and to establish a connection. Let them see that you care about your community as a whole.

- Remember that even if the supervisors can't completely support your cause, they aren't necessarily your enemy. They represent a broad constituency, and it's impossible to make everybody happy. Empathize with the pressure they feel, but always remind them that the health of the environment rests in their hands. Ten years down the road do they want to be remembered as a person who contributed to environmental damage? Probably not. Never lash out and make an enemy as you try to make your point.
- Petition your supervisors to adopt the Master Matrix if they haven't done so, and express appreciation to them if they do.
- If your supervisors do a good job evaluating a Master Matrix, tell them that you appreciated their efforts.
- At election time, let your supervisor know how you feel about the job they've done. If you're happy with your interactions and their actions, tell them you'll support them. If their performance let your community down, tell them you're supporting another candidate.

FEDERAL AGENCIES

United States Environmental Protection Agency (EPA)

EPA is responsible for enforcing the federal Clean Water Act (CWA) and the federal Clean Air Act (CAA), two critical laws for protecting the environment. EPA is broken up into ten geographical regional offices, and Iowa is found in Region 7 along with Missouri, Nebraska and Kansas.

Most of the focus in Iowa is on the Clean Water Act.

Clean Water Act (CWA)

The CWA was passed in 1972 with a goal to eliminate all pollutants from being discharged into U.S. waterways. In order to give industries time to implement "zero discharge" pollution control measures and allow the development of technology to enable that goal, they created a temporary permit program.

The program, called the National Pollutant Discharge Elimination System (NPDES), controls the amount of discharge that is allowed, allowing the EPA to regulate water quality standards for surface waters. Industrial, municipal, and other facilities must get a NPDES permit if their discharges, including storm water, go directly into surface waters.

A court ruling in 2008 said CAFOs would only be required to get a NPDES permit if the CAFO discharged into waterways. Since Iowa doesn't allow for any discharge into waterways, the only way for a permit to theoretically be required is if the CAFO was caught in the act of discharging (e.g., during a manure spill).

While EPA has oversight for the program, most states, including Iowa beginning in 1978, have been given authority to implement and administer the program. Federal funds are provided to the state and used by the Department of Natural Resources to carry this out.

The CWA provides for baseline regulation that states must follow. However, states are able to implement stronger regulations than those required by the CWA. In Iowa, the State Legislature passed a law that disallows regulations to be more stringent than the CWA.

Implications of Getting a NPDES Permit

CAFOs requiring a NPDES permit are subject to these additional regulations:

1. The CAFO must file a Nutrient Manure Management Plan (NMP) that incorporates all federal and state requirements. The terms of the NMP are enforceable. Therefore, if a CAFO doesn't follow its NMP, it's in violation and subject to fines and penalties even if a discharge doesn't occur. Often the federal fines are steeper than the state's.
2. Public input is sought when a CAFO applies for a NPDES permit. A public hearing and written comments give the community an opportunity to weigh in on the CAFO.
3. A facility with a NPDES permit is theoretically subject to regular monitoring and inspections.
4. A CAFO with a NPDES permit must file annual reports.

Present Status of CWA in Iowa

At present, any confinement that disturbs over one acre of land during construction must get a NPDES storm water permit. Open feedlots with 1,000 animal units that discharge are also required to get a NPDES permit. This is because the animals are outside, the feedlot is not covered, liquid waste isn't retained, and waste could run off into waterways.

Currently, open feedlots with fewer than 1,000 animal units and livestock

confinements are not required to get a permit. DNR has previously taken the position that since confinements are not allowed to discharge, they shouldn't be required to get a NPDES permit.

Three environmental groups, Iowa Sierra Club, Iowa Citizens for Community Improvement, and Environmental Integrity Project, have criticized how DNR administers the CWA in Iowa as well as EPA's lack of action in requiring Iowa to better administer the CWA. Their position is that while CAFOs are technically not allowed to discharge, they do discharge via manure spills, runoff, and leaking confinement pits, and should therefore be required to get NPDES permits. In 2010, the groups threatened to file a lawsuit against EPA, demanding that EPA rescind the state's administration of the CWA unless significant changes were made in Iowa.

As a result, EPA carried out an investigation of DNR in 2012 and developed a list of shortfalls. DNR responded in 2013 by developing a five-year Clean Water Rule that established a five-prong Clean Water Work Plan and it created rules to implement the plan. According to the work plan, if a discharge such as a manure spill occurs, the CAFO owner must either fix the cause of the spill or get an NPDES permit, but not both. DNR has still not issued any NPDES permits for livestock confinements as they contend CAFOs are designed to not discharge manure and the spills are correctible.

The Work Plan, completed in 2018, resulted in some gains, such as the inspection of thousands of factory farms and identification of 5,000 previously unknown CAFOs, but the groups contend that DNR still falls short of adequately enforcing the CWA.

In early 2019, EPA ruled that DNR was meeting the goals of the Clean Water Act and dismissed the complaint against the agency. However, the groups feel much more needs to be done to bring the state into compliance with the CWA and are considering legal action to that end.

Present Status of Clean Water Act Rule in the U.S.

In 2014, EPA and the U.S. Army Corp of Engineers proposed a rule to clarify and close loopholes in the CWA. The Center for Rural Affairs reports that over half of U.S. waterways and millions of acres of wetlands are currently unprotected because of these loopholes.

The Clean Water Rule, otherwise known as the Waters of the United States rule (WOTUS) was developed after two Supreme Court challenges in 2001 and 2006 led to a decade of uncertainty over jurisdiction of the CWA. The rule would restore CWA protections to 10 million acres of wetlands and more than half the nation's streams,

affecting 117 million Americans – one third of the U.S. population.

A year-long comment period was opened, and industry groups, including agribusiness interests, opposed the rule. After a year of review and comment, the Clean Water Rule was finalized and went into effect on August 28, 2015, but not for long.

The Trump Administration sought to block and rewrite the rule in 2017. Legal challenges and fights over which courts have jurisdiction to rule on WOTUS made it to the U.S. Supreme Court. In January 2018, the Court unanimously ruled that federal district courts must first review the WOTUS Rule, complicating the Trump Administration's efforts to repeal and replace the rule.

In February 2019, the Trump Administration released its revised WOTUS rule that the U.S. Geological Survey estimates would remove federal protections for 18% of stream and river miles and 51% of U.S. wetlands, putting water protections at the lowest level since the 1980s. Public comments closed April 15, and the future of WOTUS remains uncertain.

Clean Air Act

The federal Clean Air Act of 1970 was designed to regulate the discharge of toxic gases into the atmosphere. CAFOs are known to spew many toxic gases and particulates into the atmosphere.

The results of a two-year study conducted by the EPA and livestock industry and released in 2011 revealed that air around some factory farms is as dirty—and in some cases dirtier—than air in major cities, containing unsafe levels of particulate matter, ammonia, or hydrogen sulfide.[22]

However, a 2008 EPA rule exempted CAFOs from most pollution reporting requirements of the Clean Air Act until the study was complete.

In January 2015, a coalition of environmental groups filed two lawsuits in attempt to force EPA to begin regulating air emissions from CAFOs. The coalition includes the Sierra Club, Humane Society of the United States (HSUS), Iowa Citizens for Community Improvement, Environmental Integrity Project, Center for Food Safety, Friends of the Earth, Clean Wisconsin, and the Association of Irritated Residents

[22] *Hazardous Pollution from Factory Farms*: *An Analysis of EPA's National Air Emissions Monitoring Study Data,* ENVIRONMENTAL INTEGRITY PROJECT, March 2011, available at www.environmentalintegrity.org/documents/HazardousPollutionfromFactoryFarms.pdf

(represented by the Center on Race, Poverty, and the Environment). The lawsuits were designed to force EPA to act on petitions filed in 2009 and 2011 by HSUS and Environmental Integrity Project, respectively, that asked EPA to address factory farm pollution. In April 2017, the D.C. Circuit Court ruled that agriculture would be subject to reporting hazardous emissions under Comprehensive Environmental Response, Compensation, & Liability Act (CERCLA) and Emergency Planning and Community Right to Know Act (EPCRA). This legal victory was short-lived as the recent Fair Agricultural Reporting Method (FARM) Act included language to override this ruling and once again exempt agriculture from reporting hazardous emissions under CERCLA and EPCRA.

USDA Statistics

It's useful to know what's going on in your county and to track the history of its CAFO growth. The USDA National Agricultural Statistics Service's Quick Stats Tool provides stats from the livestock census conducted every five years.[23]

There are advantages and disadvantages to this survey. On the plus side, the statistics include every agricultural animal in the county, including those from smaller farms that are not tracked by Iowa DNR. It's also much easier to get figures for your county, particularly if you live in a county with hundreds of confinements, versus using the DNR Facility Explorer to gather this information CAFO by CAFO. You also can do a comparison between past and present statistics to see the trends in your county. In addition, the data are broken down into several categories for a more refined search. The disadvantage to the website is that it's updated only once every five years. The statistics are less reliable for exact numbers, although still useful to show trends.

Section 401/404 Permits: Wetlands and Army Corp of Engineers Permitting

CAFO construction that involves altering streams, lakes, wetlands, or on the floodplains, particularly those that are designated Waters of the United States (WOTUS), may require special Section 401 and 404 permits of the Clean Water Act before proceeding.

The Section 401 Water Quality Certificate is an Iowa DNR permit that certifies a project will not adversely impact the state's water quality standards as outlined in Chapter 61, Water Quality Standards, of the Iowa Code.
https://www.legis.iowa.gov/docs/ACO/chapter/567.61.pdf

[23] www.nass.usda.gov/Quick_Stats/

A Section 404 permit is issued by the U.S. Army Corp of Engineers (USACE) after determining a project will not significantly harm the water quality of a designated WOTUS. USACE will not issue a Section 404 permit until it receives DNR's Section 401 permit.

CAFO owners are required to file a Joint Application Form for the 401/404 permits if any of the following will take place:

- Cutting the bank of a river, stream, or lake;
- Any excavation or dredging in a wetland, lake, stream or river;
- Channel changes or relocations (including stream straightening);
- Construction of any permanent dock, pier, wharf, seawall, boat ramp, beach, intake or outfall structure on a stream, river or lake;
- Placement of any fill, riprap, or similar material in a stream, river, lake, or wetland;
- Construction of a dam across any waterway;
- Placement of fill, construction of levees, roadways and bridges; and similar activities on a floodplain; or
- Construction of buildings on a flood plain.
- Any construction on, above, or under all fee title lands and waters, dedicated lands and waters under the jurisdiction of the Natural Resource Commission (Commission) and managed by the Commission for public access to a meandered sovereign lake or meandered sovereign river; meandered sovereign lakes; meandered sovereign rivers; and sovereign islands (except those portions of the Iowa River and Mississippi River where title has been conveyed to Charter Cities).

Section 404 permits can be designated as General Permits or Individual Permits.

- **Nationwide Permits** are generally for specific activities nationwide. They are typically minor, noncontroversial modifications that won't have a significant environmental impact and don't require an Individual Permit.

- **Regional Permits** are for specific areas of the country and also involve activities with minimal cumulative impact. A regional permit may require a case-by-case reporting and acknowledgement system.

- **An Individual Permit** is required when a project doesn't qualify as a general permit and is larger in scope. Such projects include excavation and/or discharges of dredged or fill material into WOTUS or placement of structures

or any activity that disturbs soil/sediments below the ordinary high-water elevation of a navigable waterway. A standard permit or a Letter of Permission will be issued for individual permits. Letters of Permission are sometimes issued when the work is minor, has minimal impacts, and public objection is unlikely.

A standard individual permit entails a series of review procedures, including public notice, public hearing, and public comments that will be evaluated to determine whether a permit will be issued.

An Environmental Assessment or Environmental Impact statement pursuant to the National Environmental Policy Act (NEPA) may also be required.

404 permits generally are good for five years. If a project isn't completed in that time, the permit must be renewed.

The permitting process starts with applications filed with the USACE. If you know or suspect that an alteration to a waterway is to take place, it's advisable to contact the Army Corps of Engineers at the Rock Island District Office (309-794-4200) directly to discuss the situation.

Joint application forms are found on the Iowa DNR website.

Wetlands

The vast majority of Iowa wetlands have been drained and now function as cropland. Very little protection is afforded to Iowa's remaining wetlands, but the state does provide protection for those categorized as "designated" wetlands.

Iowa defines designated wetlands as those owned and protected by the U.S. Department of the Interior or the Iowa DNR that are managed by the federal or state government. It doesn't include wetlands that were temporarily created by a plugged drainage well, land within a drainage or levee district, or county-owned wetlands.

DNR protects Designated Wetlands with a 2,500' separation distance from a CAFO, regardless of its size. The list of Designated Wetlands in Iowa is found here: http://bit.ly/2GGno2j

The only other protection for wetlands is through the 404 permitting process of the U.S. Army Corp of Engineers.

Monitor for CAFO Activity

Be vigilant about monitoring CAFO activity in your county! The sooner you find out about a proposed CAFO, the better chance you have of stopping it. Once you see signs of construction, the CAFO is already approved, and it's much harder to keep it from moving ahead.

Check **weekly** with your DNR field office as well as your County Supervisors or Auditors office for any new CAFO applications. CAFO owners are required to submit their applications to the county first then to the DNR field office. Sometimes communication about new CAFOs applications can fall through the cracks; checking both sources ensures that you don't miss an application for a new or expanding CAFO. Although DNR has up to a month to process applications, sometimes they get approved in just a few days. However, the CAFO owner must wait 30 days from when they submit their application to begin construction.

If you want to get an even earlier read on possible CAFO development, **check every week or two with your county Recorder's Office** for any Plat of Survey for small pieces of land (up to five acres) purchased from a larger crop field. Follow up to see if there's a land sale involved. You may have a possible CAFO coming, especially if the person who requested the survey is affiliated with CAFOs in any way.

Ask to receive your supervisors' weekly board meeting agenda via email. Check it to see if a review of permitted CAFO or approval of a suspicious subdivision may be on the agenda; attend the meeting to get details.

In Iowa, any CAFO under 500 animal units (1,250 wean-to-finish swine, for example) does not need to submit a Manure Management Plan (MMP), Construction Design Statement, or a Master Matrix. No separation distances are required except for some water sources, and the CAFO owner is responsible for adhering to those distances on an honor system. You won't learn about any new construction of small confinements through your weekly monitoring.

Therefore, it's important to have a network of people throughout the county who can keep an eye on any unusual activity and alert you right away. Publicize throughout your county that people should call you with tips on suspicious activity.

Things to look for include:

- New roadwork
- New building development
- New pond or lagoon construction
- Rumors pointing to a new CAFO. Sometimes people can't resist the urge to brag about what they're planning.

Have a phone number for your organization so the public can easily contact your group. You can post photos on your website to show people what to look for. Investigate as soon as you hear about possible activity.

Jumping into Action—Alerting Neighbors

Once you know CAFO is proposed, get a copy of the application paperwork from your county supervisors or auditor's office. The paperwork should include:

- Construction Design Statement
- Manure Management Plan
- Master Matrix (when applicable)
- Construction Permit (for CAFOs over 1,000 animal units).

The Manure Management Plan (MMP) will have a legal description that indicates a specific section in a specific township where the CAFO is to be located. A plat map will usually show where the CAFO is located as well as the fields that are designated for manure.

Using that information, copy the appropriate pages from your county's plat book and draw a two-mile radius around the CAFO to identify residents living nearby. Send them a letter alerting them about the CAFO location, size, and owner. Iowa law doesn't require the CAFO owner or DNR to notify neighbors—it's up to you to let them know.

Gather the Facts

Before you begin to planning your campaign, determine the best way to approach the issue. Each CAFO is different, and some counties may not use the Master Matrix. Gather as much information as you can about the CAFO. This may feel daunting, but it's very important. Divide the work among several members to finish faster.

What to Gather	Where to Find Information
CAFO application: Construction Permit, Construction Design Statement, Manure Management Plan, Master Matrix (if applicable)	Local DNR Field Office or County Supervisor/Auditor's Office (the county office may have an application a few days before DNR does)
Date of filing	CAFO application: CDS, Construction Permit, or MMP
Proposed developer(s)	CAFO application: CDS, Construction Permit, or MMP
Landowner of CAFO site	County plat book
Type and number of animals proposed for facility	CAFO application: CDS, Construction Permit, or MMP *or* AFO database
Location of CAFO	CAFO application: CDS, Construction Permit, or MMP *or* AFO database
Integrator (the corporate supplier that is contracting with the CAFO owner and supplying the hogs, feed, veterinary services, and detailed instructions on raising the hogs)	Tough one. This can sometimes be found on the application, but it's often hidden.
Engineering company working on the CAFO	CAFO application: CDS, Construction Permit, or MMP
Type of manure storage	CAFO application: CDS, Construction Permit, or MMP
Location of land where manure will be applied	CAFO application: Manure Management Plan
Landowners receiving manure	CAFO application: Manure Management Plan and plat book
Types of crops and amount of manure that land will receive, including amount of nitrogen	CAFO application: Manure Management Plan
Residents living within two-mile radius of CAFO	County plat book. Some counties have this online through the assessor's office.
Soil type (karst or alluvial soil)	CAFO application: CDS or Construction Permit
Proximity to nearest residences, public use area, waterways	CAFO application: CDS or Construction Permit. Verify using Google Earth and AFO Siting Atlas
Other nearby waterways and geology of ground	CAFO application: CDS or Construction Permit, Google Earth, GSUI tool, and/or AFO Siting Atlas

How dead animals will be handled (i.e., incinerated, composted, or stockpiled and hauled away)	CAFO owner is not required to disclose this information. DNR regulations say disposal is as soon as possible.
Economic development promise—what is the developer promising that the CAFO will bring economically to the area?	CAFO owner, community members, networking
Who is financing the CAFO	Farm Service Bureau, Farm Credit Agency, asking at local financial institution, networking
Location of other nearby CAFOs	DNR Facility Explorer and Google Earth
EQIP Funds	NRCS website, Environmental Working Group database
Nearest city or town	Plat book, Google Earth
Within a 2-3-mile area: • established businesses • schools • parks • daycare centers • nursing homes • churches • tourism sites • recreational areas • hospitals	Google Earth, or town map from local library

Open Meetings

Meetings of boards of supervisors and other government entities are conducted under the Open Meetings law. Chapter 21 and 22 of the Iowa Code establishes transparency and accountability through open meetings and records known as "sunshine laws," which require that the basis and rationale of government decisions, as well as those decisions themselves, are easily accessible to the people. The law also says that any ambiguity should be settled in favor of openness, according to the Iowa Public Information Board.

Government bodies must give adequate notice (typically 24 hours) of the time, date, and place of a meeting; post a tentative agenda; and keep minutes that then become public records. Only agenda items may be discussed except for an

emergency item that can't wait 24 hours. Public comment is not required although often allowed.

The state provides a list of 12 exemptions for when a meeting could be conducted as a closed session, but the law doesn't require them to be closed.

Learn more about Iowa's Open Meeting law on the Iowa Public Information Board website: https://ipib.iowa.gov

Freedom of Information Act Requests

Iowa DNR records are public and may be obtained in several ways. You can request records on this DNR webpage: https://www.iowadnr.gov/About-DNR/Social-Media-Press-Room/Iowa-DNR-Records-Center

Click "Request a Public Record" and enter a description of your request, including the name and location of the facility and the types of documents you're requesting. In a few days, you should receive an email acknowledgement, followed by an email with a link to the records you requested.

Since DNR now posts its responses to web-based records requests online, you might be able to save time by searching them. On the website above, click "Search Released Information and Records." After entering search term(s), a list of results will appear; click each result, scroll down the left column to "Documents," and click the arrow to access the documents.

You can also email records requests to DNR.Records@dnr.iowa.gov, call the DNR Records Office at 515-725-8480, or mail your request to:

DNR Main Records Center
Wallace State Office Building
502 East 9th Street, 5th Floor
Des Moines, IA 50319

Field Office Records—A Simpler Approach

If you're requesting documents that are maintained in any DNR Field Office, such as CAFO applications, violation investigations, and manure management plans, you can usually visit the office and copy the documents yourself. However, check with each office as some offices may have different procedures.

In most cases, you'll be asked to pay for copies from either the main Des Moines office or Field Offices. Find fees here.[24] (You can also use your own hand scanner to copy records at no charge.)

REVIEWING CAFO APPLICATIONS

Since DNR can process a CAFO approval quickly, review CAFO applications as soon as you obtain them. For the vast majority of CAFOs, you'll be reviewing a Construction Design Statement and Manure Management Plan. For CAFOs over 1,000 animal units, you'll also review a Construction Permit Application, and in counties that adopt it, the Master Matrix. This section describes how to evaluate each application.

Construction Design Statement (CDS)

The CDS provides information on the design of the proposed confinement as well as a schedule of fees paid. The County Board of Supervisors must sign and date the permit when received. The 30-day review period begins on the date of signature, and the CAFO owner may not build before the 30 days are up. Keep your eyes peeled for any construction that may occur before then and report it to DNR as a violation immediately.

About Karst and Alluvial Soils: Excerpts from the Iowa DNR Website

Karst terrain is characterized by the presence of easily dissolved bedrock (limestone and dolomite) near the ground surface. Because carbonate rocks can be dissolved by groundwater, karst areas are often characterized by sinkholes, springs, and losing streams where some surface flow is lost to groundwater.

Karst Terrain and Sinkholes[25]
Ground water and surface waters in these areas are highly vulnerable to contamination because pollutants can travel quickly from the surface through open fractures and caves to aquifers, springs, and streams and are not likely to be filtered by soils.

[24] http://www.iowadnr.gov/portals/idnr/uploads/files/fee_schedule.pdf
[25] Karst Terrain and Sinkholes, IOWA DEPARTMENT OF NATURAL RESOURCES, http://www.iowadnr.gov/Environment/LandStewardship/AnimalFeedingOperations/Mapping/KarstSinkholes.aspx

Karst Requirements for Confinement Feeding Operations: Iowa Administrative Code prohibits new, expanding, and modified confinement operations from constructing unformed manure storage (earthen basins) in karst terrain.

Iowa Administrative Code also prohibits new, expanding, and modified confinement operations from constructing within 1,000 feet of a sinkhole unless secondary containment is provided. Any new confinements in karst terrain, with more than 500 animal units, must meet upgraded concrete standards. Water monitoring for ammonia-nitrogen may also be required for new confinements in karst terrain.

Upgraded Karst Construction Requirements

A soil exploration study must take place to determine the distance between the bottom of a confinement pit and karst bedrock.

If the confinement is not designed by a professional engineer (PE) or NRCS qualified staff, a minimum five-foot layer of low permeable soil or rock is required between the bottom of a confinement pit and karst bedrock

A confinement may be constructed in an area where the distance between the CAFO bottom and bedrock is less than five feet IF a PE or NRCS qualified staff designs and seals the construction to certify its structural integrity.

A two-foot layer of compacted clay liner material is required to be constructed underneath the floor of the confinement pit. However, Iowa code recommends that any confinement pit that has a separation distance less than five feet from the karst bedrock be built above ground.

Earthen lagoons are prohibited in areas with karst bedrock and sinkholes.

Alluvial Soils and Floodplains[26]
Alluvial soils are soils deposited by running water and are often located in existing floodplains.

Floodplain Requirements for Confinement Feeding Operations: State law requires anyone wishing to build, modify or expand a confinement or manure storage structure located on alluvial soils to determine if the proposed site will

[26] Alluvial Soils and Floodplains, IOWA DEPARTMENT OF NATURAL RESOURCES, http://www.iowadnr.gov/Environment/LandStewardship/AnimalFeedingOperations/Mapping/AlluvialSoilsFloodplains.aspx

be located in a 100-year floodplain. State law prohibits construction of a confinement in the 100-year floodplain of a major water source.

Confinements with less than 1,000 animal unit capacity using formed structures: If the proposed location is located on alluvial soils, the producer must petition DNR for a declaratory order to determine if the site is in a 100-year floodplain.

Confinements needing a Construction Permit: If the proposed site of a confinement with 1,000 animal units or more is located on alluvial soils, the Construction Permit applicant must request a floodplain determination from DNR. The determination is different than the petition for a declaratory order.

Floodplain Requirements for Open Feedlots: While open feedlots are not prohibited from constructing on alluvial soils, they must meet certain DNR requirements. For proposed open feedlot structures, a floodplain Construction Permit must be obtained if the drainage area is greater than 10 square miles.

Note: DNR staff conduct the declaratory order for CAFOs under 1,000 animal units. The determination for CAFOs over 1,000 animal units is conducted by an engineer or hydrogeologist outside DNR and supplied to DNR.

Construction Permit Application

A Construction Permit Application, in addition to the Construction Design Statement (CDS), is required for all CAFOs over 1,000 animal units. It provides some information on siting, operations, and whether a Master Matrix is required. Much of this is also included in the CDS. The Interested Parties Form is an additional sheet that includes the names and addresses of all individuals, corporations, or confinements that have 10% or more ownership interest in the CAFO. The County Board of Supervisors must sign and date the permit when received. The 60-day review period begins on the date of signature.

Manure Management Plans

The Manure Management Plan consists of a series of calculations designed to determine how much manure a CAFO will produce, designate where the manure will be applied, and analyze the capacity of the land to use the manure.

Problems to Look for in the Manure Management Plan

1. Check all calculations. Make sure to include Table 1 on Page 2 of the MMP – the number of gallons of manure the CAFO will generate. Compare that to the total number of gallons that could be applied on Page 3. If more gallons will be generated than the MMP can handle, the plan is insufficient. Check calculations on Page 2 and make sure the right figures carry over to Page 3.
2. Since DNR does not have a database of fields used in MMP's, it's worth getting the MMPs of all CAFOs within a five-mile radius of a proposed CAFO to identify fields that may be getting manure from more than one CAFO. Generally, CAFO owners apply manure on fields close to the confinement because of the cost to haul it greater distances. Compare MMPs either by Field Designation (if all MMPs use FSA numbers) or by Field Location. If you have to use the Field Location, plot the fields on a plat map to more easily identify any "double dipping" (i.e., two CAFO MMP's applying manure to the same fields).
3. CAFOs under 500 animal units do not have to submit a manure management plan, so there may be fields receiving manure from smaller operations as well. If you can identify those, you may be able to determine if the field is receiving too much manure.
4. Look at the land that will be getting manure. Does it slope down to a waterway? Are there old wells on the land that might not be capped? Does it flood during heavy rains? Is the land in an important watershed? Are the nearby waterways impaired? How is the manure to be applied? If the land appears unsuitable, check to make sure the PECR reflects the field conditions for calculating the P Index.
5. Who is taking the manure? Are there signed agreements? How long are the agreements valid? Talk with landowners taking the manure and ask them to consider the pros and cons of this decision based on all the facts. Let them know there are neighborhood people who are unhappy with his decision.
6. Check to make sure that the CAFO owner is doing what is laid out in the MMP. Are they following their planting or tillage plans? Is the land as flat as they may indicate? Are they spraying manure when they say they are injecting it?
7. If spray irrigating manure, do they identify actions to ensure compliance with additional requirements and restrictions? Are they identifying additional methods or practices to reduce potential odor?
8. When a manure application is being made, is the manure remaining on the fields? Is it pooling in certain areas then running off into streams, other fields, or on the road? Is a manure spill involved? A violation occurs anytime manure gets into a waterway, and DNR should be contacted immediately.
9. Is the P Index calculated correctly? This is often the biggest culprit in manure over application.
10. Conservation plans should be included if the P Index is in the >5-10 range. Make sure they are there and adequate.

Stay Alert!

DNR does not oversee manure application. CAFO owners are responsible for applying manure correctly. Manure application records are kept at each CAFO and are considered private information, not public documents. DNR will check records only during infrequent inspections or if a complaint is called in when there is runoff or a manure spill.

The only way DNR knows if an MMP may have been violated is if neighbors witness a potential violation and call in a complaint. Only then will DNR check to make sure the records are in compliance with the MMP and test waterways for pollutants. It's up to communities to stay on their toes and make sure MMPs are followed.

Master Matrix

The Master Matrix is an additional regulatory tool that counties adopt annually. It evaluates the siting and manure management practices of proposed large CAFOs based on environmental risks and community impacts.

The Master Matrix was developed in 2003 in response to the public outcry from the loss of local county control in 1995. Although it's a weak tool, it provides a slightly higher benchmark for larger confinements. It also gives community members a chance to evaluate CAFOs more deeply, and offers an opportunity to increase public awareness of the CAFO and the issue in general.

Most counties adopt the Master Matrix each year. If your county is one of the few that doesn't, petition your supervisors to adopt it as it can give you more to work with when a larger CAFO is proposed.

If your county uses the Master Matrix, they must send in a formal adoption, called a Construction Evaluation Resolution, to DNR by the **end of January of the current year**. If a county fails to do so, they must wait out the entire year before adopting it the next year.

Sometimes counties intending to adopt the Master Matrix forget to get their paperwork in on time, then they must wait out the year until they can adopt it again the following January. **Check with your supervisors in early January every year to confirm they are adopting the tool; double check towards the end of the month to make sure the paperwork has been filed.**

The Master Matrix is made up of 44 questions divided into three sections with a maximum achievable score of 880 points. A CAFO passes with a minimum of 440 points, or 50%, with the minimum number of points that must be obtained in the following categories:

Air: 53.38 points
Water: 67.75 points
Community Impacts: 101.13 points

New confinements with 1,000 animal units or more in counties that adopt the Master Matrix are required to use this assessment. Expansions that bring the number of animal units to 1,000 or more are also required to use the Master Matrix. For expansions, the Master Matrix only applies to new buildings.

While this tool is helpful, it's good to know its shortcomings:

- The CAFO can pass with only a 50% score.
- Some of the questions are lightweight.
- The Master Matrix is very easy to avoid and many CAFOs will come in just under the 1,000 animal unit benchmark.
- CAFO owners or their engineering companies score the Master Matrix, and the county board of supervisors checks the points taken and adjusts the score. The ability of the supervisors to score the form is only as good as their knowledge of CAFOs or their openness to comments by community members evaluating the Master Matrix. Therefore, developing a good relationship with your supervisors can make a difference.
- If supervisors pass the Master Matrix, DNR will not review the questionnaire, even if you find clear flaws with the application.
- If the supervisors fail the Master Matrix, DNR can still override and pass the application.
- If DNR passes the CAFO failed by the supervisors, an appeal can only come from the supervisors, although the supervisors can select who can present the appeal.
- The appeal goes before the Environmental Protection Commission, appointees of the Governor at the time. Therefore, the EPC can be a very political body.

While the Master Matrix is a limited tool, it's better to have it than not at all.

The Master Matrix Review Process

New or expanding CAFOs must submit the Master Matrix to the County Board of Supervisors and DNR. Once the application is received and signed by the county, a 60-day DNR review period begins.

The supervisors are given 30 days to review a Master Matrix and must file a legal notice to announce the receipt of the application and open a written public comment period.

During that 30-day window, a DNR Field Officer will visit the site to measure various separation distances taken in the Master Matrix. The supervisors may join DNR's site visit to inspect the location and discuss any concerns with the Field Officer. Occasionally you can obtain permission from the CAFO owner to join the visit as well. Supervisors sometimes use information gained in that site visit to help score the Master Matrix.

IMPORTANT: Find out when your supervisors will score the Master Matrix – you want to attend that session to provide input. Every county board of supervisors seems to handle the scoring process a little differently. Some do it at a board meeting or a special scoring session, others at a public hearing. Some even have their zoning manager or public health director do the review. Find out ahead of time what the process is in your county.

During the scoring session, the supervisors evaluate each question and decide whether or not to grant it the associated points. If the application achieves 440 or more points, the supervisors are required to pass the Master Matrix, even if they don't agree with the siting. Based on the scoring, the supervisors will make a recommendation to DNR to either approve or disapprove the CAFO application. A board can pass the Master Matrix yet disapprove the entire application if they feel the CAFO application doesn't meet other DNR regulations or to make a statement in support of community opposition.

If the supervisors approve the Master Matrix, **DNR will not review it again**.

But if the supervisors do not approve the Master Matrix, DNR will conduct its own review, so in essence, DNR has the final say. Any written comments will be used in that evaluation. For this reason, you should determine which DNR engineer is evaluating the Construction Permit and send any comments to the engineer as well as the supervisors. Sometimes DNR will overturn a board's Master Matrix review.

IMPORTANT—If your supervisors are not sure if certain points should be awarded, encourage them to deny the points. DNR will not review the Master Matrix if the

supervisors approve it, but they will if they fail it. Sometimes supervisors grant points that DNR would otherwise deny.

If DNR approves the Master Matrix and construction permit, they'll issue a preliminary construction permit. Construction can't begin until the final permit is issued two weeks later.

In that two-week period, a county board of supervisors has the option to appeal the preliminary construction permit to the Environmental Protection Commission (EPC) if (1) DNR approved the application and Master Matrix against the recommendation of the board of supervisors or (2) a board of supervisors want to appeal on general environmental grounds. **Supervisors have the right to do this even if they passed the Master Matrix.** If the supervisors opposed the CAFO, appealing on general environmental grounds may give them an additional opportunity to argue their concerns about the siting of the confinement. They can also appeal if additional concerns arise after the Master Matrix is approved.

An appeal can only be submitted by a board of supervisors, but the supervisors can delegate representatives to attend and argue the appeal to the EPC in their absence.

Supervisors also have the option to give up their right to an appeal in order to expedite the final construction permitting process. Therefore, if you want your supervisors to appeal, you need to speak with them ahead of time so they will consider your concerns.

TIP: Many county supervisors are unfamiliar with how the Master Matrix works. It's worth talking with them to assess their level of understanding and provide information to help them during their evaluation.

How to Review the Master Matrix

A CAFO owner can selectively choose which questions to score as long as they achieve the minimum number of points in each category and a final score of at least 440. Often the score comes in right at the 440-point mark or slightly higher as each additional component included over the minimum requirements adds more costs to the CAFO construction.

Therefore, analyze the Master Matrix very carefully. Just finding a few faults can reduce the score to a failing level. Even double-checking the overall math and the math in each subcategory may uncover an error in your favor.

Look for:

- The Master Matrix defines terms in most questions, so read all definitions carefully. This is especially important when checking measurements and distances to locations such as high-quality waterways or public use areas.
- The Master Matrix will have a page of supporting documentation explaining why the points were taken for each question. Review each one carefully to see if the answer is complete or if there are holes in any of the answers.
- If the application takes points for questions requiring design, operation, and maintenance plans, check to see if the plans are sufficient. Often they are not, and you can get points deducted.
- An aerial map should be included with all distances and measurements shown. Make sure each measurement is accurate. If a measurement is just within a few feet of the required separation distance, ask to have it double-checked by DNR.
- On certain questions involving manure application, check historic photos to see if farmsteads were formerly at the site using the Iowa Geographic Map Server (see above). You can sometimes identify uncapped wells, and that may impact the score.
- DNR will do a site visit to check the measurements. Find out when this will take place and ask to attend. This will be your one chance to get on the property without trespassing. You may have to get permission of the CAFO owner, so check ahead with DNR. You can learn a lot about the site and will be better able to evaluate the Master Matrix. Ask your supervisors to go on the site visit as well. If you have concerns about anything, bring it to their attention at the visit.

There may be some questions that you will need to cross check with the Construction Permit or Manure Management Plan to see if the points taken are valid. If you are only given a brief window to obtain and review the Master Matrix, ask your supervisors to push back the date to give you ample time for evaluation.

Compile a written point-by-point evaluation of each question whose scoring you challenge. Include maps and any other supporting data as needed. Make a strong written argument for removing points that will form the basis for your comments during the scoring session.

These comments should be an objective presentation of facts and not an emotional plea. At the scoring session, submit this evaluation to your supervisors, who will submit it to DNR. (You should also send this evaluation to the DNR engineer responsible for evaluating the application, just in case.)

TIP: If the Master Matrix was submitted previously and failed, get a copy of DNR's denial letter and compare the remedies suggested to the current Matrix. One community got a resubmitted Master Matrix failed because the CAFO owner made barely any changes to the new Matrix that were recommended in DNR's failure letter. Get a copy of the letter at the DNR field office or the AFO database.

Presenting Your Findings

Bring all your findings to the scoring session and be prepared to speak about them. You'll have a stronger presence if you bring a few others to share in the presentation or be there for support. Have those who can speak most knowledgably on the questions make the points. Again, keep this objective and without emotion, but provide a clear and compelling description of your concerns.

Give a copy of your written comments to the supervisors. Verbal comments are not passed to DNR but can aid the supervisors in scoring the Master Matrix. Supervisors sometimes do more research before granting points, so the scoring session may take place over multiple days.

It is very important to present any concerns you have about the Master Matrix to the supervisors. Remember, if they approve the Master Matrix, DNR will not review it.

Ask your supervisors to hold a public hearing so the general public can also comment. Invite all those unhappy about the CAFO to attend, present their concerns, and put their comments in writing so they may be passed to DNR. Note that the public hearing is sometimes held after the scoring is complete, but some boards rely on public comments to make the final decision.

While it's good to express overall concerns about CAFOs, the supervisors can only act on the Master Matrix, so make sure that many comments address any shortfalls you find in the Master Matrix. If you have done the research, you should have what you need to make a strong presentation. Invite the media to cover the public hearing so your concerns reach the public.

After gathering your information, evaluate the facts and develop an effective strategy. Act fast since DNR can approve anything under 1,000 animal units in less than 30 days.

Iowa's regulations and laws favor agricultural interests. Without local control, community members have little say in whether or not they want a CAFO in their neighborhood. However, there are several things you can do to challenge the infringing CAFO. While each one on its own may not stop a CAFO, the combined effort might make the CAFO owner reconsider, and even withdraw the plans.

We can't emphasize enough to use as many of these strategies as possible. The more you use, the stronger your opposition may be. This will also help discourage other CAFO owners from considering your community.

1. Find Your CAFO Principals

Identify all the people involved with the CAFO. Start with a copy of the CAFO applications and ask around in your community to find out who may be involved. You'll want to identify the following people and corporations:

- Owner
- Land owner where CAFO is to be sited (if different from the CAFO owner)
- Integrator (corporation supplying the hogs and feed to the CAFO)
- Investors
- Landowners taking manure

Some of these may require some research.

Identify those you'll work with on the government level. Learn who will handle the application at the local DNR field office, and stay in touch with him/her on its progress and to report any information that could help get it denied.

If the CAFO is over 1,000 animal units, you will also need to work with DNR engineers. You will also work with your supervisors in counties that have the Master Matrix. Develop friendly relationships with everyone to keep communication open and keep your contacts receptive to your concerns.

A contact is an individual or group who can make your goal achievable; don't assume they are against your goal. Sometimes public officials and other people with

influence are simply not educated on an issue. When you start your campaign, start with the belief that you can educate people to understand your side of the issue, including local politicians and officials. Try not to alienate anyone. You need every friend you can make.

Ask all of your contacts to honor any promises they've made or anything they've publicly stated. This is why video or audio taping every meeting can be so important. Publicly thank people for things they've done to help; encourage and praise your elected officials in the media and in public meetings when they do something to help your cause.

2. Start a Petition

Start a petition opposing the CAFO by gathering signatures in your neighborhood. Collect as many signatures as you can within a two-mile radius, or further. Go door to door, leave petitions at local stores, and bring them to events.

3. Get the Word Out

Get the word out to everyone in a two-mile radius of the CAFO.

- Go door to door to share information on the CAFO and find out if neighbors will join you in opposition. Get their phone number and email address to keep them updated. Bring your petitions, and ask for their signatures.
- Create a flyer that tells people about the CAFO threatening your community
- Provide educational information on the impacts of CAFOs. Show photos of factory farms and the pollution they create, and get testimonials from people who live near CAFOs. Putting a face on the issue helps people understand the threat in a more personal way.
- Hold informational meetings to educate people about the CAFO. Invite speakers who live near CAFOs to talk about their experiences.
- Bring your flyers to public events – county fairs, church gatherings, PTA meetings, local restaurants, community functions, or any place where people might gather. Invite these people to your next meeting.

4. Ask for a Meeting with the CAFO Owner

Sometimes you can stop a CAFO by meeting with the owner and expressing your concerns as a good neighbor. This should be one of the first things that you do in your campaign.

Request a private meeting and share how the CAFO will impact you. Approach the meeting in a friendly, non-threatening manner and try to develop a win-win solution. Bring several people to the meeting so the owner will understand the scope of the opposition. Consider recording your conversation (make sure you get the owner's permission to do so).

If the owner insists on building the CAFO, see if you can get him or her to move it to a site away from neighbors who object. If they don't budge, stay calm and professional, but let them know that they will face opposition. See if the owner would be willing to attend a mediation session, but be aware that you may both need to compromise if you go that route.

5. Put Public Pressure on the CAFO Owner

Use a variety of approaches to show the CAFO owner that the community opposes the operation. ***Don't do anything inappropriate or illegal***. This needs to be an orderly and respectful process. Otherwise, you'll lose credibility, and it will work against you if you wind up in a lawsuit.

Some effective approaches include:

- Make smaller signs to fit in the windows of homes or businesses, or larger signs that can be posted in front yards or along highways.
- Have meetings, rallies, and marches.
- Put posters up around town opposing the CAFO.
- Organize a peaceful drive-by protest. Assemble as many cars as possible and slowly drive by the facility with headlights on. This was done in Knox County, Illinois, which attracted TV crews to residents' display of concern.
- Meet with local religious leaders and ask them to speak with the CAFO owner about the community's concerns
- Plan a peaceful protest at the CAFO owner's place of business.
- Speak with the CAFO owner's family members to share your concerns, and ask them to speak to the CAFO owner on your behalf.
- Initiate a letter writing campaign to the CAFO owner from members of the community.
- Consider legal action and let the CAFO owner know you are talking with a lawyer.
- Maintain a presence at community events with flyers, posters, and petitions, especially when the CAFO owner may attend
- Print t-shirts, buttons, bumper stickers, signs, hats, etc. with your campaign slogan and have them available at a table at public events.

- Determine if there are any tourist attractions or organizations in the area that would be affected by the CAFO. Explain the impact the CAFO will have on their operation and see if they will join you in your opposition.
- Meet with local business people and explain how CAFOs hurt rural economies and how their businesses could suffer.
- Engage the media. Send press releases, write letters to the editor, call local reporters to garner interest in a story, etc.

6. Challenge the Technical Stuff

- Review all applications in depth and look for any problems.
- Look at the land using Google Earth to see if there are waterways and FEMA's Flood Map Service Center to see if any floodplains could be impacted. FEMA Flood Maps: https://msc.fema.gov/portal
- If a Master Matrix is involved, do a thorough analysis and document all your findings to present to your board of supervisors and DNR at public hearings or as opportunities arise.
- Make sure the applicant has submitted all required paperwork. Report a complaint to your local DNR field office if documents are missing.
- If you have concerns about the construction creating problems with nearby waterways, obtain a copy of the Storm Water Pollution Prevention Plan (SWPPP).
- Write down all your concerns and send formal letters to DNR with copies to DNR's legal counsel. It's not enough to simply tell DNR that you don't want CAFOs in your area—you must present good reasons why the CAFO shouldn't be approved.
- Determine if manure from other CAFOs is being applied to the same fields as the proposed CAFO.
- Determine if there are any ancient burial grounds where the CAFOs will be placed or where the manure will be spread. It's against the law to intentionally disturb burial grounds (Iowa Code, Chapter 716.5). The Office of the State Archaeologist (OSA) has records of over 1,500 Indian mounds and other unmarked ancient burial sites, and receives information on 20-30 previously unrecorded sites each year. Find more information and contact info at: www.uiowa.edu/~osa/burials/burform.htm.
- Meet with your county conservation board to share any concerns about the watershed and see if they will support your opposition to the CAFO.
- If the CAFO is near a waterway, check Iowa's impaired waterways list to see if it's listed: www.iowadnr.gov/Environment/WaterQuality/WaterMonitoring/ImpairedWaters.aspx.

New or expanding CAFOs are prohibited in the drainage areas of impaired waterways unless strict standards are met.

- Check for endangered species at the sites and on manure fields at the U.S. Fish and Wildlife Site for Endangered Species in Iowa. Click on the Species by Project Site or County. Under (1), enter your location to get a general map of your area (recommend either your county or town), then under (2) define the area using the drawing tool to further specify your location. If federal funds are involved, then endangered species can be addressed in an Environmental Assessment and Environmental Impact Statement. www.fws.gov/midwest/endangered/lists/iowa_cty.html
- Determine if there are any wells at the CAFO site or on the field receiving manure. Use the GISU aerial mapping system to look at historical maps to see if farmsteads were once located at the CAFO site. Many old homes and barns that were razed and converted into farmland used wells that were never capped. If you find a farmstead whose well might be within the required separation distance, check with your county sanitarian to see if there's any documentation that a well was closed at the site. If none exists, pressure DNR to have an independent contractor examine the land and look for signs of an old well that the CAFO owner should then cap. This alone may not stop a CAFO, but will be one more thing the owner will have to deal with.
- Determine if any federal funds are being used (e.g., federal loan programs through the Farm Services Agency or Small Business Administration, or grant money, such as EQIP funds issued through the NRCS). The National Environmental Policy Act (NEPA) requires agencies to conduct an initial environmental review in order to prepare an Environmental Assessment (EA). The EA evaluates if there are environmental concerns such as endangered species, geologic/hydraulic sensitivities, or even disturbances of historic artifacts that the CAFO might harm. If an EA finds evidence of such concerns, the agency may require a more extensive Environmental Impact Statement (EIS) that can sometimes force the CAFO operator to conduct additional and sometimes costly tests. The findings or even the cost of the EIS might prevent the CAFO from being built. Legal notices of environmental reviews are required so check your newspapers regularly. You can learn if federal funds are involved by submitting Freedom of Information Act (FOIA) requests for all agencies listed above. During the environmental review, you can submit public comments to the agency, so do your research and if you have legitimate concerns, provide detailed comments and follow up with the attending officer.
- Find out if there are any proposed alterations to a water body that is considered Waters of the United States. If so, the U.S. Army Corp of Engineers may require 401 and 404 permits, which involves another level of public

hearings and input and can discourage further CAFO development.

About Endangered Species

Iowa state law prohibits the harm or taking of endangered species, but there are no preventive measures in place to protect them. If damage is done to an endangered species, the state can only act after the fact with an administrative action. However, the Federal Endangered Species Act may come into play if the habitat of an endangered species may be harmed by a CAFO and federal funds are used in its construction. EQIP funds obtained for a confinement pit or loans obtained through the Farm Services or Farm Credit Agencies qualify as federal funds. In those cases, NRCS must conduct a NEPA assessment to determine if the endangered species' habitat may be harmed by the CAFO. If it is, the CAFO could be prevented from being built at that location.

7. Putting Your Research to Work

- Bring a large map of your county/municipality to public events and:
    - Highlight the lands of those opposed to the CAFO in a bright color. This shows the amount of opposition to the CAFO.
    - Highlight the CAFO site in another color.
    - Highlight land for manure disposal that's located outside a five-mile radius from the proposed CAFO in a third color to show the area where it's not economically feasible or safe to transport the manure and where such transport may damage county roads.
    - Highlight a multi-county map showing distances and levels of odor zones, e.g., two-mile radius, five-mile, ten, etc.

  The map will show that this isn't just an issue for CAFO neighbors; it affects everyone in the community.
- Develop a plan for presenting your case to the appropriate governmental body (planning and zoning, county board, etc.). Involve numerous residents with diverse backgrounds, including both farmers and rural non-farm residents.
- If the CAFO hasn't yet started to operate, assemble a group and take a day trip to an area where one or more CAFOs are already operating. Knock on doors and talk with the neighbors. Video and interview them if they allow it. Write down your experience and use this as testimony during a public hearing or when interviewing with the media.
- Have someone who lives next to a CAFO travel to your town to testify at a public hearing. Many groups have done this with great success.
- Find out if local farmers are taking "free" manure from the site. Consider crafting a "covenant against manure dispersal." Circulate this agreement to

farmers in the community. The covenant should state that spreading manure over farms around the CAFO is not an appropriate means of disposing of waste from the factory farm.
- Compare the waste from the animals in human population equivalents. For instance, since a hog produces at least three times the waste as an average human, a 2,500-head CAFO can produce the same amount of waste as a town of 7,500-8,000 people. Use these calculations to demonstrate the enormity of the problem.

8. Get Political

- State your concerns in writing by sending letters to County Board members, county or township officials, and local politicians. Send letters to the editors of local newspapers as well. Date your letters and keep copies of them in your files.
- Ask friends and neighbors to do the same, and ask them to give you a copy for your group's files.
- Get involved with local county committees. Get yourself elected or appointed to county committees, the zoning commission, or become a member of your public health department.
- Have at least one person from your group attend all local political and public events, including town meetings and forums. These meetings usually have question and answer periods, so ask your public officials about the CAFO issue. Bring fliers and material to hand out.
- Join one of the groups drafting new rules for enforcement of federal legislation regulating CAFOs.
- Research taxpayer subsidies that go to the CAFO and include this in your appeal.
- Circulate the phone numbers of all elected officials and encourage people to call them to voice their concerns.

9. Always Maintain Professionalism

- Do not claim information is factual unless you have the facts to back it up. Unfortunately, there is conflicting information available related to CAFOs, even conflicting "science-based" information. So, cite the source of your information, and let your audience decide if it is "factual." Besides losing credibility by presenting opinions as facts, you don't want to risk being sued. If you want to raise an issue but don't have the facts, pose your information as a question.
- Any claims put in writing should be backed by facts and scientific studies. For

example, if you're claiming CAFOs can reduce property value by as much has 40%, cite the study that references that statistic.

- Only you and your group can decide which approaches are best suited to your region or problem. No matter what you decide, always stay civil and within the boundaries of the law.
- Remain professional and levelheaded during your entire campaign. This is especially true when you are in public and working with the press.
- Before you go to any public meeting or meet the media, try to anticipate what the other side is likely to do and what your response will be. Practice with other group members by having them pretend to be the opposition. Have them try to undermine you and get you to 'lose your cool.' This will help prepare you in the event things do get heated.
- When planning tactics or press events, time is usually the biggest constraint. To manage your time effectively, determine a deadline, such as the date of a public hearing or when you want to have a press conference. Then determine what steps are needed to reach your goal by that date. Start with your deadline and plot the steps backwards along a timeline. Then you can figure out when you should begin or implement each phase of your planning. Be realistic about how long each task will take.

10. Prepare for a Public Hearing

Public hearings are not required for CAFOs and feedlots over 1,000 animal units, but many supervisors do hold them. Develop a good relationship with your supervisors as they may be more open to your request for a public hearing if they don't automatically schedule one on their own.

In any case, supervisors are required to post a public notice asking for public comment when large CAFOs are proposed. If your county doesn't have the Master Matrix, then the public hearing will be used for collecting public comments to send to DNR. It also will serve as an excellent opportunity to publicly oppose the CAFO, so make sure your local press covers the hearing.

If your county does have the Master Matrix, they will be collecting information to score the questionnaire, as well. Sometimes the Master Matrix is even scored at a public hearing.

The public hearing is your best chance to make an argument against the CAFO. Here are some pointers to help you make the most of it.

- Public notices announcing public hearings are often miniscule and frequently

overlooked. Stay in touch with your supervisors and find out when they are planning a public hearing. Publicize it widely through your email list, and send a press release to local media announcing the meeting. Local publications and radio stations may run a story in anticipation of the hearing.

- Do your homework ahead of time. Review every point on all the applications – Master Matrix, Manure Management Plan, Construction Design Statement, etc. and outline every possible objection you've discovered. Remember, you need to provide solid evidence of issues with the application rather than a blanket statement that you don't want the CAFO near your home. DNR can only respond to points that relate to current regulations. Even though the smell from a CAFO is a valid public concern, it is not currently regulated by DNR.
- Call your local newspaper, radio, and TV stations and ask them to cover the public hearing. Tell them that many comments will be made on the CAFO. Local media is always looking for news.
- Identify all people living near the proposed CAFO and have them attend the meeting and express their concerns. Find as many residents as possible who will be your allies at the meeting.
- Have your comments written out and clearly document what you want to say ahead of time. Find out before the meeting if comments are limited to a specific amount of time and plan your statement accordingly.
- Bring a typed copy of your comments to the meeting to be forwarded to DNR. DNR will only review written comments. Verbal comments made at the meeting will not be recorded for DNR. Bring copies for the media, too, so you are quoted accurately.
- If no hearing is scheduled and you are unsuccessful in petitioning for one, submit your concerns in writing to DNR and county supervisors.
- Work with everyone who is speaking and decide who is making specific comments so you function as a cohesive whole. If you are well organized, you will appear more professional, and your statements will carry more weight. Get together with everyone ahead of time and make sure there are no significant divisions or contradictions among the points members of your group are making to avoid weakening your arguments.
- Listen to any comments the opposition makes; take notes so you can make counter comments.
- Be strong and firm at the meeting but always respectful. If you are too confrontational and aggressive, the media is more likely to report your attitude or behavior than the actual points you make. Choose your words carefully and plan what you will say ahead of time so you don't get caught up in the emotion of the moment. Plan to the strengths of each speaker.
- You can include comments about the impacts that the CAFO will have on the community, citing your sources of information. Those are important for

generating public understanding and opposition to factory farms. **But make sure your comments are heavy on the points that the supervisors can use to vote down a Master Matrix or that DNR can use to deny one.**

11. Appealing a DNR Master Matrix Approval to the Environmental Protection Commission

Iowa law limits appeals to CAFO applications only when a Master Matrix is involved and all of the following conditions are met:

- The supervisors have failed the Master Matrix by scoring it under 440 points
- DNR, in turn, rescored the Master Matrix, passed it with 440 points or more, reversing the supervisor's decision, and approved the CAFO.
- The supervisors submit a request for an appeal within 14 days of DNR's decision.
- Supervisors who passed the Master Matrix can also appeal DNR's decision on general environmental grounds if they file their appeal within two weeks of DNR approval.

Since the county supervisors must initiate a process, let them know you are unhappy with DNR's decision and ask them to submit an appeal. Also keep in mind:

- If your supervisors need some convincing, organize a letter writing and phone call campaign to encourage them to take your case to the EPC. Use the media, submitting letters to the editor, ads, etc. to put pressure on them to respond.
- Ask your supervisors to allow members of your organization to make the appeal. Have those with the best grasp of the application's problems make the presentation.
- Prepare your presentation ahead of time, including a written presentation to submit to the EPC. Back up your claims with hard data and objective information.
- If the supervisors are presenting the appeal, offer to help them prepare their comments by providing solid data on the problems with the Master Matrix.
- Organize a large group to attend the appeal meeting with the EPC in Des Moines in support of overturning the application permit.

The CAFO Owner Can Also Appeal a DNR Decision

If DNR denies a Master Matrix, the CAFO owner can appeal the agency's decision within 30 days of the date of denial. Stay in touch with DNR to keep tabs on the owner's intentions. If the owner appeals, find out when the hearing will take place, and prepare your argument against the CAFO as above.

LEGAL ACTION

Sometimes no matter what you do, a CAFO gets built. It often seems like Iowa laws and regulations favor industrial agriculture over individuals, communities, and the environment. This can be frustrating and disheartening, but it's not the end of the road.

Once a CAFO is operating, there are laws in place to protect you and your family from any infringements the CAFO may have on your rights. Nuisance and Trespass are two legal theories that can provide your family and home with possible protection from nearby CAFOs.

Finding an Attorney

Find an attorney who is experienced in environmental law and who has experience opposing CAFOs. If the lawyer is part of a practice, get a sense if the partners and fellow attorneys are representing corporate agricultural clients and if there may be a conflict of interest. Lawsuits can be very costly, so try to find a lawyer who will work on a contingency or partial contingency fee basis or who will provide "pro bono" work (free of charge), otherwise your case may be very expensive. The alternative is to pay an attorney for the actual time to represent you. Filing a lawsuit lets everyone – CAFO owner, corporate supplier (also called the "integrator"), agencies, politicians, and corporate ag organizations – know that you mean to protect your rights.

Step One: Know Your Legal Rights

Iowa Statutes

Note: Laws can change, so it's best to consult an attorney whenever possible. The following is general information and is not intended in any material way to be a legal opinion.

Although the Iowa legislature has long favored agribusiness interests, it has been forced to pass some protection against facilities that are likely to cause environmental harm or nuisance to their neighbors. Iowa law requires facilities of a certain size to obtain a Construction Permit. Once built, the facility must operate within certain minimal standards.

For CAFOs with 1,250 or more hogs, specific separation distances are required from several protected areas. Generally, liquid manure from a CAFO, may not be applied to farmland within 750 feet of a business, church, school, or residence ("protected proximity") not owned by the farmer. However, farmers may apply manure to land within this protected proximity if the manure is injected directly into the ground or incorporated into the soil within 24 hours.

Manure application to land within 200 feet of a body of water, and 800 feet in the case of a high-quality water resource, is prohibited unless the manure is injected directly into the soil and adequate erosion control measures are in place. Farmers may not apply CAFO manure within 250 feet of a protected proximity, 100 feet of a property boundary line, or 800 feet of a high-quality water resource when using low-pressure spray irrigation that meets certain requirements.

Manure may only be applied to frozen or snow-covered cropland if the P index is less than 2 and if land slopes are either less than 4 percent or where control practices are sufficient to prevent runoff from reaching surface water during winter. Down gradient tile intakes must be blocked. Except when there is an emergency, spreading manure on snow-covered ground is banned from December 21 to April 1, and spreading manure on frozen ground is banned from February 1 to April 1. SAFOs are exempt from this law. In general, DNR holds that manure application on frozen and snow-covered ground should be avoided where possible.

Violations of any of these statutes can be the basis of legal action. Note that these statutes do not apply to all facilities. However, there are legal remedies that do, and they are the most effective in protecting your property from harm from a CAFO.

Iowa Common Law: Nuisance

The laws of nuisance and trespass are two legal theories that provide additional legal protections to neighbors, and both have always been part of the common law of Iowa. Nuisance is an activity that someone is doing on their property that is injurious to health, indecent, unreasonably offensive to the senses, or interferes with comfortable enjoyment of life or property.

While not wholly settled, there is a doctrine in nuisance law called the "coming to the nuisance" doctrine, which may bar claims against operations that existed before you moved to your property. In other words, the nuisance must come to you. If you moved to the nuisance, you may be barred from complaining about it.

Dating back to the early 1900s, the Iowa Supreme Court has generally held that the unsanitary conditions and stench related to the presence of manure may so interfere with a neighbor's right to the quiet enjoyment of life and property that it could constitute a nuisance.

In 1987, Iowa courts first addressed the land application of manure typically used by modern farmers, holding that spreading manure within several hundred feet of a neighbor's home is unreasonable and constitutes nuisance, and that a neighboring land owner harmed in such a manner will be entitled to a court injunction prohibiting this type of manure use. See Valasek v. Baer, 401 N.W.2d 33 (Iowa 1987). Remember, if nuisance is the basis of your claim, it may be important to establish that you were there before the facility was built.

In addition to damage caused by manure spills and runoff, neighbors of farmers who use liquid manure fertilizer may hold a farmer liable for damage resulting from manure transportation. In 1990, a farmer was held liable when a manure spill ruined a neighbor's crop of corn. See Weber v. IMT Insurance Company, 462 N.W.2d 283 (Iowa 1990).

Iowa Common Law: Trespass

The other legal basis for protecting your property is the law of trespass. Trespass is defined as an unlawful interference with the right to exclusive possession or physical invasion of the property of another. Under Iowa common law, a person may not encroach upon your land. Activities like walking on another person's land, driving over it, building on it, or dumping waste on it would be examples of common law trespass. Note that invasion of a person's land by odors is not a trespass, but is covered by nuisance law. Actual physical invasion by manure, flies, or traffic could constitute a trespass.

Right to Farm Act

In response to successful nuisance actions, the Iowa legislature, along with almost every other state in the country, passed a series of statutes commonly referred to as the Right to Farm Acts. The Iowa Right to Farm Act provides immunity from liability for nuisance if the nuisance is not the result of negligence by the CAFO operator.

There have been three such statutes passed in Iowa, Iowa Code § 352.11, which was declared unconstitutional in 1998; Iowa Code § 657.11, which was declared unconstitutional as applied in 2004, and Iowa Code § 172D, which only applies to feedlots and has not been challenged as unconstitutional. Either § 657.11 or § 172D

could potentially be relied on as a basis for barring a nuisance action, under the proper circumstances.

Remedies for Various Stages of CAFO Development

There are three situations when you might need to legally defend yourself from damages caused by a CAFO:

1. An existing facility is the source of the problem.
2. An existing facility is expanding, and the expansion is the problem.
3. A proposed facility is going to be built.

In cases 1 and 2, the CAFO already exists, so your remedy may be limited to monetary damages. However, remedial measures to improve the offensive nature of the CAFO may also be a justified claim.

In case 3, if the facility hasn't yet been built, your remedy would theoretically be an injunction prohibiting the operators from going forward with the construction of the confinement. You may not be entitled to damages because, until the facility is operating, there would be no damages. These cases are often not filed due to the difficulty in proving the likelihood of damages that have not yet occurred and the potential overall cost.

Practically speaking, few, if any, Iowa courts have granted injunctions for an anticipatory nuisance, and it's not a recommended legal strategy. In the unlikely event a court granted an anticipatory injunction and you ultimately failed to prove it was a nuisance, you may be liable for any income the defendants lost in the interim.

Regardless of what stage the facility is in, if your action is based on nuisance, Iowa law requires that you first file for mediation with the offending parties. Unfortunately, CAFO owners often have no interest in accommodating neighbors, making mediation unproductive. If the owner is uninterested in mediation, they may waive this requirement, but more likely they'll force you to pursue the mandatory mediation process before you're allowed to sue them in court.

Step Two: Determine Who Is Responsible

When you're harmed by the construction or operation of a CAFO, there's usually more than one responsible party. The owner and the operator are liable for any damages caused by the wrongful operation of the facility. If the facility is sited on leased land, or if the land on which manure is applied is leased, both the operator and landowner may be held responsible. Often the animals themselves are owned

by a larger corporate entity, typically referred to as the "integrator." The integrator may also be liable for causing a nuisance if they exercise enough control over the way the animals are kept and raised.

The Iowa Supreme Court recently ruled that an aggrieved property owner who's harmed by manure-related damage or nuisance may recover not only against a farmer, but also against the farmer's landlord. See Tetzlaff v. Camp, 715 N.W.2d 256 (Iowa 2006). To be liable, the landlord must know that the manure usage will occur and will likely constitute a nuisance to neighbors.

Any person who transports the manure could also be liable for any spills. If the facility is under contract with other entities, those entities could also be liable, depending on the amount of control they exercise over the facility operation.

To summarize, depending on your case, the property owner, the facility operator, the manure transporter, the corporate supplier/ integrator, and the owner of farmland where the manure is applied may be liable for the harm caused to you and the nearby home or landowner. Even the contract purchaser of livestock may be liable if it exercises sufficient control over the operation.

These are all complex issues and are mentioned only for your general understanding. Pursuing any of these types of claims should only be considered upon the advice of legal counsel familiar with these situations.

Step Three: Gather the Facts

As soon as you identify a current or potential problem, gather all available information on the facility. You need to know the size of the facility, property owner, facility operator, whose land is being or will be used for manure disposal, and how the manure is will be applied.

Property Owner: ask the County Assessor's Office to help you identify the property owner; if you can provide the location of the property, they'll be able to identify the owner. Find a list of all county officials on the Iowa State Association of Counties website.[27] The site also provides phone numbers for County Boards of Supervisors, County Recorders, and County Auditors.

Facility Size: If the CAFO is large enough—500 animal units or more (1,250+ hogs)—the owner will need to submit a Manure Management Plan and Construction Design

[27] www.iowacounties.org

Statement to the County Auditor and to the local DNR field office. If it's over 1,000 animal units (2,500+ hogs), a Construction Permit must also be submitted as well as a Master Matrix in counties that adopt this requirement. Get a complete copy of all forms—they include much of the information you need.

With smaller CAFOs (under 1,250 hogs) that don't have to file Manure Management Plans or Construction Design Statements, you can speak directly with the CAFO owner to obtain details about construction and facility operation. If the CAFO owner is not forthcoming, you may need to talk to neighbors or other community members to find the information.

Corporate supplier/integrator: Again, speaking directly with the CAFO owner may be your best bet as the integrator doesn't have to be listed on any DNR forms. If the CAFO owner won't share this information, ask other community members who may have spoken with the owner.

DNR summarizes regulations according to the size of a CAFO as follows:

> "Types of confinement feeding operations: Based on size and storage type, there are three basic categories of confinement feeding operations:
>
> "Permitted—A Construction Permit is required prior to building, modifying or expanding all sizes of operations that use unformed storage. A Construction Permit is also required prior to building, modifying, or expanding an operation that uses formed storage if the final animal unit capacity will be 1,000 animal units or more [2,500 or more hogs]. See pre-construction requirements and design standards.
>
> "Non-permitted—Formed Manure Storage—A Construction Permit is not required for building, modifying or expanding a confinement feeding operation with a proposed animal unit capacity from 500 to 999 animal units [1,250-2,499 hogs] that uses formed storage. However, pre-construction requirements and design standards must be met before construction begins. See pre-construction requirements.
>
> "Small—Formed Manure Storage—Neither a Construction Permit nor a Manure Management Plan is required for small operations, 499 or less animal units [1,250 or fewer hogs], that use formed manure storage, but some pre-construction requirements apply. See requirements."

Review all information in the documents submitted by the CAFO operator to DNR to

verify accuracy. For example, make sure that farmland identified for manure disposal hasn't already been identified in a previous application. Find current requirements for CAFOs and open feedlots on DNR's website.[28]

Although SAFOs do not have to file a Manure Management Plan, they must observe land application separation distances, correctly dispose of dead animals, retain all manure on site between periods of land application, and report any manure releases. They also must maintain specific separation distances from waterways and wells in siting the building. Find all separation distances here.[29]

Operations that plan to build or expand may be required to comply with construction requirements, and operations sited within counties under the Master Matrix have additional responsibilities. Regardless of size, no operation can create a nuisance or a trespass against the property of another.

If you are in a situation where a nuisance or trespass is already occurring, it's helpful to begin documenting the nuisance or trespass. This means consistently recording when you observe CAFO manure being spread, spills, excessive odors, truck traffic, or any other acts by the operator that may interfere with your right to use and enjoy your property. Keep a calendar or journal noting the dates and times of any incidents, and take photos or videos when possible (but do not trespass in order to do so).

Step Four: Contact a Lawyer

A property owner who believes a neighboring farmer is using CAFO manure in an unlawful manner—or any manner that results in a nuisance or property damage—should not attempt to personally resolve the matter.

Because circumstances surrounding every case are unique, an attorney should be contacted for advice before any action is taken. Using the cases and other material in this guide as a starting point, an attorney may be able to help you enforce your rights and seek recovery for damages.

Disclaimer:
This section is intended to provide helpful information about the law. However, the information is general, and is not intended to be a substitute for the advice of a lawyer. Small differences in individual circumstances can be important in resolving

[28] www.iowadnr.gov/Environment/LandStewardship/AnimalFeedingOperations.aspx
[29] fs_distreq_constrctn-5.pdf

legal problems. Also note that the law changes quickly, so the accuracy of the information in this section cannot be guaranteed. If you have a legal problem, seek an attorney's advice.

Mandatory Mediation with Your Opponents before the Iowa Mediation Service

If you wish to pursue litigation in Iowa against an infringing CAFO, the mediation process with all potential Plaintiffs and Defendants is mandatory and will be required before you can bring forth a lawsuit in court. As long as you request the mediation through the Iowa Mediation Service, attend the mediation with all members of your proposed plaintiff group, and conduct yourself cordially, the mediator will likely issue a mediation release needed for the plaintiff group to thereafter file formal litigation. The mediation release will be issued regardless of whether or not you reach some compromise with the other side. As a word of caution, make certain in your mediation request that you have researched and named all owners, operators, and integrators involved in the CAFO. If you fail to name a principal party in the mediation request, you will have to remediate with them at a later date in order to bring them into the lawsuit. This can be complicated, challenging, and expensive. It's advisable to have an attorney familiar with these matters represent you prior to and at the mediation.

Communicating Information Once You're in Litigation

When you're working with an attorney and considering taking your case to court, you must be extremely careful about what you say and what you write. The circumstances of your case become confidential and should not be shared with anyone unless at your attorney's direction.

Beyond what you say to your attorney, you should be very careful about any statement you write or say publicly. Communications between you and your attorney are subject to attorney/client privilege, meaning they're private and not required to be revealed in court. But anything written or spoken that isn't subject to attorney/client privilege may be discoverable and has the potential to be used in court. This also applies to all your social media e.g., emails, texts, tweets, Facebook, Twitter, LinkedIn, etc. as well as conversations with friends at the supermarket and the like. Therefore, if you need to communicate sensitive information, do it only through your attorney under their instructions.

SLAPP Suits—When Legal Action Is Taken Against You

A Strategic Lawsuit Against Public Participation, or SLAPP suit, is a lawsuit filed against

an individual who is fighting a corporation or speaking out against a business. These suits are an attempt by a company to silence people who are critical of that company's operations or who are trying to hold the corporation accountable for wrongdoing. The Sierra Legal Defense Fund identifies the following characteristics of a SLAPP suit:

1. The plaintiff is usually a mid- to large-sized company.
2. The suit claims enormous damages and generally seeks an injunction.
3. The defendant has been speaking out with some success against the plaintiff's business interest in an attempt to influence government policy or public perception
4. The issue is one of public interest or concern.

SLAPP suits can be very effective—many individuals fear the threat of a lawsuit and won't speak up against a company, even if the company is violating the law. One of the most famous SLAPP suits was the Cattlemen's Association lawsuit against Oprah Winfrey over her statements about beef (Ms. Winfrey won).

Your best protection against SLAPP suits is to be careful to always get the facts correct before you issue a statement. In addition, stay away from personal attacks and media sound bites that include statements you can't support. Finally, realize that SLAPP suits are meant to keep you quiet—those who file these suits don't do it to win in court; **they do it with the hope that the strain and expense of defending against it will deter you from speaking.**

If you're facing a SLAPP suit, help is available; for guidance, read the Survival Guide for SLAPP Victims.[30]

SLAPP Suit Resources

The First Amendment Project
First Amendment Project (FAP) is a nonprofit organization providing free and low-cost legal services on public interest free speech and free press matters. FAP provides these services to its core constituency of activists, journalists, and artists who seek to vindicate important First Amendment rights, but do not have the financial resources to hire private counsel. FAP represents these clients by defending them when they are sued for what they say or write, by contesting governmental non-compliance with open records and meetings laws and in challenging laws, practices, and policies that infringe on First Amendment rights. FAP is the only

[30] https://www.thefirstamendment.org/media/Guarding-Against-the-Chill.pdf

nonprofit organization in the country dedicated to providing free legal representation exclusively on free speech and free press issues.

Phone: 510-208-7744
https://www.thefirstamendment.org/contact/

Iowa 'Ag-Gag' Status

Iowa's Agricultural Production Facility Fraud law[31]—colloquially known as 'Ag-Gag'—made it a crime for journalists and groups to conduct undercover investigations at agricultural operations. It effectively silenced advocates seeking firsthand information about animal cruelty, food safety, environmental hazards, and working conditions at CAFOs. In January 2019, a federal judge ruled that Iowa's 'Ag-Gag' law is unconstitutional and violated First Amendment free speech protections.[32] The State of Iowa is currently appealing that ruling.

In March 2019, the Iowa State Legislature passed a new Ag Gag bill, which made it a criminal offence to use deception to obtain access to a CAFO with the intent to cause physical or economic harm or to injure a facility's operations, property, or persons. Several organizations are once again challenging the constitutionality of this new law.

ODOR CONTROL

Odor mitigation strategies can reduce the putrid smell caused by anaerobically decomposing waste in confinement pits. Anaerobic decomposition creates over 300 toxic gases, volatile organic compounds, and particulates that are harmful to human health. Ammonia and hydrogen sulfide are two gases that contribute significantly to the terrible odors emanating from CAFOs. Unlike some other states, Iowa doesn't regulate odor from agricultural operations.

Odor control methods are not widely used by CAFO operations and integrators due to their additional costs. However, they can mitigate some of the ill effects of living near a CAFO, and communities can urge CAFO operators to incorporate their use.

[31] IA Code § 717A.3A (2012).
[32] https://www.courthousenews.com/wp-content/uploads/2019/01/IowaAgGagRuling.pdf

Find information on odor mitigation strategies that can curb odor from CAFOs below. Some techniques are more effective than others, but generally speaking, none eliminate the odor completely.

Air Management Practices Assessment Tool
Iowa State University's excellent page provides information on the pros, cons, cost, and effectiveness of various odor mitigation strategies.
http://www.agronext.iastate.edu/ampat/

Recommended Strategies for Odor Control in Confinement Swine Operations
Another good overview of several methods with pros/cons/effectiveness/relative cost.
http://bit.ly/2E9uw4l

Vegetative Buffers for Swine Odor Mitigation - Wind Tunnel Evaluation of Air Flow Dynamics
Summary of paper published in *eXtension.*
http://bit.ly/2DyOAvU

Case Study: Odor Mitigation with Tree Buffers
Paper published by USDA Agricultural Research Service and Iowa State University researchers.
https://www.sciencedirect.com/science/article/pii/S0167880911004038

Air/Odor Control Technology Used by Iowa Pork Producers
Page 3 has a chart of mitigation techniques and level of satisfaction experienced by pork producers.
http://bit.ly/2BsuhhL

Best Environmental Management Practices: Odor Control Options for Confined Feeding
Brochure with overview of strategies published by Michigan State University Extension in conjunction with Purdue University.
https://www.extension.purdue.edu/extmedia/ID/ID-310.pdf

Practices to Reduce Ammonia Emissions from Livestock Operations
A six-page Iowa State University booklet.
https://store.extension.iastate.edu/Product/Practices-to-Reduce-Ammonia-Emissions-from-Livestock-Operations

Practices to Reduce Ammonia Emissions from Livestock Operations Flow Chart

Iowa State University flowchart with relative cost and effectiveness ratings.
https://store.extension.iastate.edu/Product/Practices-to-Reduce-Ammonia-Emissions-from-Livestock-Operations-Flowchart

Practices to Reduce Hydrogen Sulfide from Livestock Operations
A six-page Iowa State University booklet.
https://store.extension.iastate.edu/Product/Practices-to-Reduce-Hydrogen-Sulfide-from-Livestock-Operations

Practices to Reduce Hydrogen Sulfide from Livestock Operations Flow Chart
Iowa State University flowchart with relative cost and effectiveness ratings.
https://store.extension.iastate.edu/Product/Practices-to-Reduce-Hydrogen-Sulfide-from-Livestock-Operations-Flowchart

Animal Feeding Operations Technical Workgroup Report on Air Emissions Characterization, Dispersion Modeling and Best Management Practices
Report of the 2004 Iowa DNR Animal Feeding Operations Technical Workgroup referencing best management practices in the above Iowa State University booklets.
http://bit.ly/2Dy7

ADVOCATE FOR BETTER REGULATIONS AND COMMUNITY RIGHTS

Iowa laws generally favor industrial agriculture over the rights of residents and communities. Regulations are relatively weak, and DNR has little power to protect communities and appears to favor CAFO interests. The Big Ag lobby is powerful and influences legislation. Campaign donations from corporate agriculture help to elect sympathetic candidates.

Can people actually change anything from a legislative perspective? The answer is yes. It's time to roll up our sleeves and get to work.

Coalitions must be built to educate Iowans about the problems caused by CAFOs; an educated public understands how they are impacted and is more motivated to take action. Educated residents must build support for better regulations and anti-CAFO candidates. Effective, coordinated lobbying by a wide coalition can put as much pressure on legislators as the Big Ag lobby. Coalitions are starting to form—we encourage you to join one.

Community Rights Ordinances

Many U.S. residents are growing weary of the ever-increasing power that corporations have over their lives. Because of a series of Supreme Court decisions, corporate rights often take precedence over individual and community rights as we see when a CAFO moves in amidst our protests. However, there are tools that can help communities regain their rights.

Over 150 U.S. communities have passed community rights ordinances that prohibit environmentally harmful industries from being built in their towns and counties. These ordinances empower communities to protect the health, safety, and wellbeing of residents and the environment while establishing environmental and economic sustainability.

The Community Environmental Legal Defense Fund (celdf.org) is a nonprofit that helps communities craft ordinances that place the decision of whether or not to site potentially harmful businesses in their hands—not in the hands of corporations.

How to Enact Community Rights Ordinances in Your Community

CELDF works directly with communities to implement Community Rights ordinances and offers training through a two-day intensive program Once a community group takes the Democracy School, CELDF will provide free assistance to the community to craft and enact a Community Rights ordinance. Learn more about CELDF at www.celdf.org.

OTHER GROUPS THAT CAN HELP WITH YOUR CAFO FIGHT

Protecting your community from factory farms is difficult. Avoid working alone by building relationships in your community, consulting with experts, and collaborating with groups working on similar issues.

Socially Responsible Agriculture Project (SRAP)
SRAP provides free advice and technical assistance to communities throughout the U.S. facing factory farms. Find additional resources at www.sraproject.org, and contact SRAP for support at 503-632-8303 or through our website.[33]

Iowa Citizens for Community Improvement

[33] Contact, Socially Responsible Agriculture Project, http://www.sraproject.org/contact/

www.iowacci.org
515-282-0484
iowacci@iowacci.org

STATE AND NATIONAL GROUPS ADDRESSING CAFOS IN IOWA

Des Moines Water Works
www.dmww.com
515-283-8700

Humane Society of the United States
www.hsus.org
202-452-1100 or 866-720-2676

Iowa Environmental Council
www.iaenvironment.org
iesmail@iowaenvironment.org

Iowa Farmers Union
iowafarmersunion.org
(515) 451-8492
info@iowafarmersunion.org

Food & Water Watch
www.foodandwaterwatch.org
Phone: 515-344-4834

Iowa Sierra Club
iowa.sierraclub.org
Phone: 515-277-8868
General information: iowa.chapter@sierraclub.org
Urgent environmental concerns to the national club:
environmental911@sierraclub.org

Organic Consumers Association
www.organicconsumers.org
218-226-4164
Email: www.organicconsumers.org/contact-us

Women, Food & Agricultural Network
www.wfan.org
515-460-2477
info@wfan.org

Women's International League for Peace and Freedom
https://wilpfus.org
617-266-0999

LOCAL COMMUNITY GROUPS FIGHTING CAFOS IN IOWA

100 Grannies for a Livable Future
https://100grannies.org/

Dallas County Farmers & Neighbors
www.dallascountyfarmersandneighbors.org

Des Moines County Farmers & Neighbors for Optimal Health

Henry County Farmers & Neighbors

Iowa Citizens for Responsible Agriculture – Worth County
www.facebook.com/groups/117302095571252/

Iowa County Farmers & Neighbors
www.facebook.com/IFANIowa/

Jefferson County Farmers & Neighbors, Inc.
www.jfaniowa.org
641-209-6600
jfan@lisco.com

Partners for the Future: Dickinson County Air, Land, and Water
http://partnersiowa.org

Poweshiek CARES
http://poweshiek-cares.org

Southeast Iowa Sierra Club
https://www.sierraclub.org/iowa/leopold

Iowa Alliance for Responsible Agriculture (IARA)

IARA is a coalition of national, state, and local organizations and individuals who are concerned about the harmful impacts of factory farms and are working to promote ethical agriculture in Iowa. Members of IARA meet monthly to advance changes in factory farm regulations, support each other in opposing infringing CAFOs, and share information. There's no fee to be a member of IARA, and new members are welcome.