

Background Information

The draft legislation being pushed by industry lobbyists is designed to allow more industrial hog production in the Buffalo National River and make it harder for the state to protect our stream, lakes or communities from pollution. That's bad enough, but the bill will also weaken water quality protections for all Arkansas streams and lakes.

The Buffalo National River is one of America's most pristine waterways and one of the largest drivers of the Arkansas tourism industry. Six years ago C&H Hog Farm contracted with Cargill who then sold their pork business to JBS, a Brazilian multinational corporation, to open an industrial hog farm of over 5,000 hogs within a few miles of the Buffalo River and right on Big Creek, one of its main tributaries. The facility produces millions of gallons of hog waste a year that is spread, untreated throughout the watershed.

When initially seeking authority to operate C&H chose to operate under a general permit, rather than an individual permit. They were the first and only operation to apply for and operate under this general permit regime. By choosing to operate under the general permit, C&H avoided thorough public notice and site specific investigations that would have been required to obtain an individual permit and likely resulted in a permit not being issued.

In 2016 the general permit expired and was not renewed. The general permit contained a condition that if it was not renewed, those with coverage (only C&H) would have to seek approval for an individual permit and that coverage under the general permit would cease once a decision was made on the individual permit application. C&H did not challenge the general permit not being renewed and applied for an individual permit. The Department of Environmental Quality denied C&H's individual permit application because C&H did not provide enough evidence that their operation would not threaten Big Creek and the Buffalo River. C&H appealed the ruling to the Arkansas Pollution Control and Ecology Commission. C&H continues to operate now while the appeal takes place. The Commission, appointed by the Governor to settle such disputes, will consider the evidence and make a determination of whether the facility is a pollution threat to Arkansas waters or not.

Now corporate lobbyists want to bypass the appeals process and weaken our water quality protections. They drafted legislation that would require the Department of Environmental Quality to issue permits without fully considering whether a facility poses a threat to water quality or the surrounding area.

The lobbyists are trying to get the Governor to add it to the agenda of a special legislative session so they can enact it now, stop the appeals process and grant the facility a new permit without considering all of the evidence.

Supporters of this bill say that those who want to protect the Buffalo River and Arkansas waters are opposed to agriculture and family farmers -- this could not be further from the truth. The Buffalo National River is simply not an appropriate place for a concentrated hog production facility. Agriculture is one of the backbones of the state and we support sound agricultural practices that do not threaten our most pristine waters. We think most farmers and people who care about clean water have far more in common than the special interests who fan discord can acknowledge.

Other supporters of weakening water quality protections to allow industrial hog production on the Buffalo River argue that waste is already entering the Buffalo from natural populations of animals and the many tourists who visit our rivers every year. There is a world of difference between the waste of natural animal populations and that from industrial hog facilities. One hog produces as much liquid sewage as 4 human beings -- so 5,000 head of hog is the equivalent of the waste from a city of 20,000. This heavy concentration of sewage is held in ponds that have been known to leak and overflow in other places, and then is spread on surrounding fields where it has been shown to runoff into neighboring creeks. Right on one of the major tributaries to the Buffalo River and in an area of karst geography that is prone to spreading pollution underground for miles is simply not an appropriate place for an industrial hog facility.