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Sent: Wednesday, June 25, 2014 11:10 AM

To: Reg-Comment

Subject: Buffalo River Watershed.

To whom it may concern:

Arkansas Code Ann. 2-4-101 to 2-4-108 is the state of Arkansas's Right-to-farm Statutes. 2-4-101 states "It is the declared policy of the state to conserve, protect, and encourage the development and improvement of its agricultural and forest lands and other facilities for the production of food, fiber, and other agricultural and silvicultural products. When nonagricultural land uses extend into agricultural areas, agricultural operations often become the subject of nuisance suits. As a result, agricultural operations are sometimes forced to cease operations. Many are discouraged from making investments in farm or others agricultural improvements. It is the purpose of this chapter to reduce the loss to the state of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to be a nuisance." Concerning the case of C & H Farms of Mt. Judea, these fine families have been subjected to some of the worst nuisance in recent history concerning farming! The term "nuisance" in the Ark. Statute brings to mind what the families of this particular farm have had to deal with recently. **"Nuisance" by definition is 1) one that is inconvenient, annoying, or vexatious, a bother. 2) A use of property or course of conduct that interferes with the legal rights of others by causing damage, annoyance or inconvenience.** The negative letters and articles, full of misunderstandings, misinformation, and plain falsehoods have become a nuisance to these families, and frankly too many that love and enjoy the farming lifestyle!

The families of C & H Farms have met all the rules and regulations required of them by the state of Arkansas and the agencies, ADEQ, that oversee this type of venture. If the families have met and went above requirements of the law, why are they being subjected to all the harassment that they have? Where is the government stepping in and standing up for their rights?

I oppose the requested changes to Regulations 5 and 6 that would:

1. Prohibit any new medium and large CAFOS in the Buffalo River Watershed
2. Not allow C & H Farms to renew their permit
3. Not allow them to switch to a Reg. 5 permit from a Reg. 6 Cafo permit
4. Not allow them to expand their operation in the future, if they desired to.

- a. What if their children want to invest in the farm, and expansion is necessary?
- b. These proposed changes would forbid that!

I am very much opposed to the bringing in of a 3rd Party organization, which claims it will be “unbiased” in its judgments! If we need another entity to help make environmental decisions for the state of Arkansas, maybe we need to step back and say the first 2 that we have, ADEQ and APCEC, are not doing their jobs! Maybe the state of Arkansas needs to save money and do away with these 2 organizations, if they cannot make environmental decisions based on science and facts, and not based on agendas and emotions! ADEQ and APCEC must base their decisions on science and facts, not cowering down to political pressure from extremist environmentalists! Give the scientific facts time to be compiled and studied, time will show that the hog farm is not an environmental hazard. The facts will show that C & H Farms are good stewards of the land! They barely got the hog farm started when the environmental wacko’s were already saying shut it down it is killing the environment, this is not only ignorant but ludicrous, where are the facts to back up such ridiculous statements?

The Buffalo River has been stated to be a “sensitive ecological area”. If it so “sensitive”, why don’t we keep everybody out? The environmentalists and the people that support only the tourism industry, like to crow about 1.5 million visitors a year to the Buffalo River, I suppose they don’t have any impact upon the precious river? Let’s not allow hikers, people canoeing, swimmers, and even government employees to wander up and down the banks and in the river itself. What about the Kings River in Madison County, or the White River in Washington County, are these not “sensitive areas”? There are many, many larger farms are all over both of these counties, and people still enjoy and take advantage of the use of both of these rivers. Why could it not be possible in Newton County? It can and will if people will let it!

What about testing for diseases and e-coli and CWD below a herd of deer and elk or other wildlife where they are concentrated? An average hog operation this size produces about 2 million gallons of waste a year. The city of Little Rock, where a lot of the complaining seems to be coming from, produces about 40 million gallons of human waste per day. The town of Fayetteville is another town where a lot of the complaining seems to be coming from, how much waste does the city of Fayetteville produce per day? Then where does that waste go? Is it not true that after it is treated the liquid part is pumped back into one of their local streams or creeks for the water process to start all over again? Let’s all plan for a float trip there! Isn’t the solid waste after treatment dumped on acreage somewhere around Tontitown? Where is the outcry over pollution of local streams and creeks and land there?

Bowing down to the environmental agenda without any facts or science to go by will set a precedent that will seek to ban all farming in the BRW. This is a small step to a much bigger agenda that the extremists have! This type of extreme agenda is not limited to Arkansas, but has become a prominent issue nation wide. Does anyone remember the “Biosphere” push several years back, here we go again!

C & H Farms and other farmers in Newton County, and farmers in Arkansas, and farmers in America are the real stewards of the land! We have a vested interest in it. We buy it, we work it, we pay the taxes, and we pay the upkeep on it! We enjoy the good years, and we stick it out in the hard times and the lean years, all with the hopes and dreams of making a good honest living, and also with the hopes and dreams of leaving it to our children or families when we are gone! We just don't come down here one or 2 times a year and play and run back to our lives in other towns. We live here, we work here, we go to church here, and we send our kids to school here in some fine rural schools! If we just go out and blatantly destroy our land just to make a quick dollar for ourselves, what will we have left to fulfill our dreams and leave to our children? The families of C & H Farms realize this fact, so do most all farm families across this country! So they have considered and we have considered the most proper way to take care of the land and the water! In reality it is the farmer that is by far more of an environmentalist than the "environmentalist". Farmers feed Newton County, Arkansas, America, and the world! Small farms are an integral part of this system; the larger farms are also needed to complete this major task. So why should we be constantly subjected to nuisance law suits, moratoriums, petitions etc., by people that are not even vested in our land and our county, to try to put a stop to a way of life that feeds the world?

Where is the great economic boon that the Buffalo River has supposedly brought to our county? We are in the lowest 10 counties in the state in "income per capita". Our county budget is around 2.2 million dollars per year. What's Fayetteville's annual budget? What is Little Rock's? 65 % of our land is owned by the government (state and federal combined). No one denies the fact that the river and tourism in general brings part of the economy to our county but a "great economic boon", please! Not all tourists that come to our county come to float the river. Many drive the mountain roads for the views. Many come to hunt, and fish, some even come to ride 4-wheelers. Many states invite tourists to come ride 4-wheelers in their state, the U.S. Forest Service worked well with riders to help set up trails and make the forest accessible for 4-wheel riding. Try riding a 4-wheeler on Park Service land and see what happens to you. If tourism has been hurt in Newton County recently it is due to all the negative publicity generated by the "anti hog farm nuts", not by farmers! Maybe if the government did not own so much of our county, and we were able to farm and log more freely, then maybe families in Newton County would be able to increase their yearly incomes and budgets, which in turn would mean less tax dollars spent on government assistance!

This has become an individual property rights problem. When someone or organization can come in on your own private property and possibly cause you to have to quit a legal farming venture that you have invested in, then we in Arkansas have serious problems. All farmers and ranchers need to wake up and come to the support of each other. The environmentalist wacko's claim they don't oppose farming and agriculture. They just need to stay small. What is small? How many hogs do they think each farm needs to raise? Who died and left them in charge of our farms that we own and operate? Who gave them the authority to dictate, I wonder if that is not what they are really after, to the property owners what they can and cannot raise, and how many animals they can have on their farms?

Next time it maybe you that wants to do something on your own property, and someone else doesn't like it, they may become your "nuisance law suit"

I would like to thank you for taking the time to read my side of the issue. I hope that you will strongly consider backing C & H Farms and telling the environmentalists to back off!!!

Thank You
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