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## **Amendment 13:**

Uniform Regulations of Livestock Operations

## **Amendment 14:**

Regulation of Commercial Hog Facilities

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Information for November 1998 Election Ballot

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Colorado State University Cooperative Extension  
offers the following information to assist voters  
in understanding issues around the  
livestock initiatives.

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# Colorado State University Cooperative Extension Mission

Colorado State University Cooperative Extension has a land-grant university mission to educate the people of Colorado on public policy issues and is dedicated to facilitating public discussion on issues by:

- 1.) presenting current, science-based information;
- 2.) clarifying questions and positions taken; and
- 3.) pointing out known or probable consequences of each course of action.

We carry out these functions without advocating any position.

## Amendments #13 and #14

Colorado voters are being asked to decide whether the state should further regulate livestock production in general and large swine-production facilities in particular. Livestock production in Colorado generates annual revenues of \$2.6 billion, which represents 60 percent of the state's annual farm sales. Production facilities include beef and sheep feedlots, dairies, poultry houses and confined swine-production operations. These facilities are called Confined Animal Feeding Operations (CAFOs) under Colorado law. Colorado has a long history of CAFOs producing animal products. The recent influx of large swine CAFOs, however, has generated controversy around environmental, economic and social impacts of such operations. These impacts are most directly felt by the communities in which these operations are located.

Large swine CAFOs are viewed by some individuals and communities as an opportunity for economic development, revitalization or diversification. However, there are differences of opinion on what policies should be employed in response to this opportunity so as to responsibly steward and protect Colorado's human, natural and community resources.

Environmental impacts are the focus of the livestock initiatives. As with most public issues, many factors need to be considered as citizens prepare to vote on Amendments 13 and 14.

## Livestock Production and Environmental, Economic and Social Issues

- All CAFOs produce large quantities of manure.
- Manure contains potential disease-causing organisms and plant nutrients such as nitrogen and phosphorous.
- Manure, properly applied to land, poses minimal threat to human health and is an organic fertilizer that enriches soil and promotes plant growth.
- There are documented cases of human health and water-quality problems resulting from improperly managed manure.
- All CAFOs produce odors in all phases of manure handling.
- Effects of odors on human physical and mental health are not clearly understood or agreed upon.
- Odor can be reduced, but not completely eliminated, by a combination of proper management practices and improved technology.
- Enforcement of separation distance between CAFOs and neighbors is the most common way to mitigate odors.

- Effect on the local economy of large swine CAFOs is an area of community interest and concern.
- New demands on public infrastructure and services (roads, utilities, schools, medical services, police and fire protection) from swine operations may require increased tax expenditures.
- Introduction of large swine CAFOs can affect the social fabric of a community in a variety of ways.

## **How are all CAFOs currently regulated by the State of Colorado?**

- CAFOs are prohibited from discharging manure or wastewater into state waters.
- Manure and wastewater must be stored in a properly designed, located, constructed, and operated holding facility until applied to agricultural crop land as fertilizer.
- Manure application rate on cropland is determined by the fertilizer needs of the crop.
- A CAFO must submit a manure and wastewater management plan to the state.
- Regulations are enforced only on a complaint-driven basis.

## **How are all CAFOs currently regulated by counties?**

- CAFO proposals are reviewed against local zoning ordinances.
- County commissioners make a decision to approve or disapprove the proposal.
- Each county uses its own standards in this decision making.

## **How will #14 modify current State of Colorado CAFO regulations?**

- Amendment 14 modifies current Colorado CAFO regulations only for large swine CAFOs.
- Large swine CAFOs will be required to obtain a state permit, and state-approved swine waste management plan.
- Regular monitoring of soil and groundwater around manure holding facilities and land receiving manure applications will be conducted.
- Liquid swine manure holding facilities must be covered unless improved methods to minimize odors are employed.
- Swine manure retention facilities and application fields must be set back an appropriate distance to protect water quality and at least one mile from the nearest residence, school or municipality.
- Colorado Department of Public Health and Environment will develop odor-control regulations for swine operations.
- Any spill or contamination from large swine CAFOs must be reported immediately to state and county officials.

- Owners of large swine CAFOs must give evidence of financial ability to clean and restore large swine-production sites in the event of a spill or upon abandonment.
- Persons adversely affected by large swine CAFOs may enforce these regulations by filing a civil suit.
- A per-animal fee will be imposed on large swine CAFOs to support enforcement of these new regulations.

## How will #13 modify current State of Colorado CAFO regulations?

- Amendment 13 amends the Colorado Constitution by requiring that all laws applied to livestock operations address all animal species uniformly based on the similarity in their potential impact on the environment.
- Passage of Amendment 13 would make Amendment 14 unconstitutional because #14 only applies to swine. Amendment 13 does not propose any changes to existing Colorado CAFO regulations.

## How do current and proposed regulations compare to other states?

Other states that have experienced growth of swine CAFOs have regulations similar to Colorado's current and proposed (Amendment 14) regulations. In some cases, legislation passed in other states has additional requirements. For example:

### Iowa

Legislature is funding research and demonstration projects on odor control in CAFOs.

### North Carolina

Operators of CAFOs must be trained and certified in manure management. CAFO must certify that an adequate land base for manure application is available.

**Kansas** (to be implemented January 1, 1999, for large swine CAFOs).

- Manure applied to land must be incorporated into the soil within 24 hours.
- CAFOs must have an approved five-year manure application plan.
- Manure applicators must be trained.

### Nebraska

Agricultural operations can be conducted only by family farm corporations, partnerships or individual farmers.

This brochure is a product of the Colorado State University CAFO Work Group comprised of faculty located on campus and in county offices. The goal of the Work Group is to inform citizens on the issue of animal feeding operations. Other educational resources are available to the citizens of Colorado through this Work Group.

If you want more information or assistance from the Colorado State University CAFO Work Group, please contact: Lloyd Walker, Department of Chemical and Bioresource Engineering, Colorado State University Fort Collins, CO 80523-1370, (970) 491-6172; or your local Colorado State University Cooperative Extension county office.